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ILLINOIS REGISTER

Rules of Governmental Agencies

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JIM EDGAR
Secretary of State

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Secretary of State
Administrative Code Div.
201 West Monroe
Springfield, IL 62756

(217) 782-9786

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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1989

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 20, 1988	Dec. 27, 1988	1	Jan. 6, 1989	June 27, 1989	July 3, 1989 (Mon.)	28	July 14, 1989
Dec. 27, 1988	Jan. 3, 1989	2	Jan. 13, 1989	July 3, 1989 (Mon.)	July 11, 1989	29	July 21, 1989
Jan. 3, 1989	Jan. 10, 1989	3	Jan. 20, 1989	July 11, 1989	July 18, 1989	30	July 28, 1989
Jan. 10, 1989	Jan. 17, 1989	4	Jan. 27, 1989	July 18, 1989	July 25, 1989	31	Aug. 4, 1989
Jan. 17, 1989	Jan. 24, 1989	5	Feb. 3, 1989	July 25, 1989	Aug. 1, 1989	32	Aug. 11, 1989
Jan. 24, 1989	Jan. 31, 1989	6	Feb. 10, 1989	Aug. 1, 1989	Aug. 8, 1989	33	Aug. 18, 1989
Jan. 31, 1989	Feb. 7, 1989	7	Feb. 17, 1989	Aug. 8, 1989	Aug. 15, 1989	34	Aug. 25, 1989
Feb. 7, 1989	Feb. 14, 1989	8	Feb. 24, 1989	Aug. 15, 1989	Aug. 22, 1989	35	Sept. 1, 1989
Feb. 14, 1989	Feb. 21, 1989	9	Mar. 3, 1989	Aug. 22, 1989	Aug. 29, 1989	36	Sept. 8, 1989
Feb. 21, 1989	Feb. 28, 1989	10	Mar. 10, 1989	Aug. 29, 1989	Sept. 5, 1989	37	Sept. 15, 1989
Feb. 28, 1989	Mar. 7, 1989	11	Mar. 17, 1989	Sept. 5, 1989	Sept. 12, 1989	38	Sept. 22, 1989
Mar. 7, 1989	Mar. 14, 1989	12	Mar. 24, 1989	Sept. 12, 1989	Sept. 19, 1989	39	Sept. 29, 1989
Mar. 14, 1989	Mar. 21, 1989	13	Mar. 31, 1989	Sept. 19, 1989	Sept. 26, 1989	40	Oct. 6, 1989
Mar. 21, 1989	Mar. 28, 1989	14	Apr. 7, 1989	Sept. 26, 1989	Oct. 3, 1989	41	Oct. 13, 1989
Mar. 28, 1989	Apr. 4, 1989	15	Apr. 14, 1989	Oct. 3, 1989	Oct. 10, 1989	42	Oct. 20, 1989
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Apr. 11, 1989	Apr. 18, 1989	17	Apr. 28, 1989	Oct. 17, 1989	Oct. 24, 1989	44	Nov. 3, 1989
Apr. 18, 1989	Apr. 25, 1989	18	May 5, 1989	Oct. 24, 1989	Oct. 31, 1989	45	Nov. 13, 1989 (Mon.)
Apr. 25, 1989	May 2, 1989	19	May 12, 1989	Oct. 31, 1989	Nov. 7, 1989	46	Nov. 17, 1989
May 2, 1989	May 9, 1989	20	May 19, 1989	Nov. 7, 1989	Nov. 14, 1989	47	Nov. 27, 1989 (Mon.)
May 9, 1989	May 16, 1989	21	May 26, 1989	Nov. 14, 1989	Nov. 21, 1989	48	Dec. 1, 1989
May 16, 1989	May 23, 1989	22	June 2, 1989	Nov. 21, 1989	Nov. 28, 1989	49	Dec. 8, 1989
May 23, 1989	May 30, 1989	23	June 9, 1989	Nov. 28, 1989	Dec. 5, 1989	50	Dec. 15, 1989
May 30, 1989	June 6, 1989	24	June 16, 1989	Dec. 5, 1989	Dec. 12, 1989	51	Dec. 22, 1989
June 6, 1989	June 13, 1989	25	June 23, 1989	Dec. 12, 1989	Dec. 19, 1989	52	Dec. 29, 1989
June 13, 1989	June 20, 1989	26	June 30, 1989	Dec. 19, 1989	Dec. 26, 1989	1	Jan. 5, 1990
June 20, 1989	June 27, 1989	27	July 7, 1989	Dec. 26, 1989	Jan. 2, 1990	2	Jan. 12, 1990

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

POSSIBILITIES

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Duck, Goose and Coot Hunting

2) CODE CITATION: 17 Ill. Adm. Code 590

3) SECTION NUMBERS:

590.20

590.25

PROPOSED ACTION:

Amendments

New Section

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 29, 1987).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: The Department is promulgating these amendments to incorporate language pertaining to a Illinois Youth Goose Hunt. The Department is holding this hunt to encourage youths to support waterfowl hunting.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DOES THIS PROPOSED RULE CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?

Section Numbers	Proposed Action	Illinois Register Citation
590.10	Amendments	13 Ill. Reg. 3221, March 17, 1989
590.30	Amendments	13 Ill. Reg. 3221, March 17, 1989
590.40	Amendments	13 Ill. Reg. 3221, March 17, 1989
590.50	Amendments	13 Ill. Reg. 3221, March 17, 1989
590.60	Amendments	13 Ill. Reg. 3221, March 17, 1989
590.EX A	Amendments	13 Ill. Reg. 3221, March 17, 1989

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE, AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 590

DUCK, GOOSE AND COOT HUNTING

Section

- 590.10 Statewide Regulations
 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
 590.25 Illinois Youth Goose Hunting Permit Requirements
 590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites.
 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting
 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting
- EXHIBIT A The Non-Toxic Shot Zones of Illinois

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 29, 1987).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendments at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendments at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendments at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendments at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendments at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendments at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. _____, effective _____.

Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

- a) Sites covered in this Section, which allow hunting by permit only, are:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

Horseshoe Lake Conservation Area (Alexander County)

Rice Lake Conservation Area

Union County Conservation Area

b) Permit Requirements

- 1) Permit reservations will be accepted starting in September. Initial acceptance dates will be publicly announced.
- 2) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, par. 3.8).
- 3) The permit will be for the use of the entire blind and it will be the responsibility of the permit holder to bring one hunting partner for Horseshoe Lake (Alexander County) and Union County (two hunters per blind) or two hunting partners for Rice Lake (three hunters per blind). Unfilled blinds will be filled by a drawing at the sites.
- 4)
 - A) All duplicate permit reservations will be rejected and the hunter will forfeit his rights to a permit. Permits are not transferrable.
 - B) Permits cannot be transferred on the hunting area. For other information write to:
 Illinois Department of Conservation
 Permit Office - Waterfowl
 524 S. Second Lincoln Tower Plaza, Room 210
 P.O. Box 19227
 Springfield, IL 62794-9227
- 5) Permits for waterfowl hunting will be issued from the Springfield Permit Office for Horseshoe Lake (Alexander County), Union County and Rice Lake.
- c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County), Union County and Rice Lake areas

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Section 590.20 (c) of these rules shall be in accordance with Federal Regulations (50 CFR 20, effective September 29, 1987) unless the regulations in this Section are more restrictive.
- 2) Season dates, bag limits and methods of taking geese are set by the U. S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.
- 3) Hours, Permits and Stamp Charges
 - A) Hunting hours are from legal opening time until 12:00 Noon at Rice Lake. Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise until 12:00 Noon and will be closed on Mondays.
 - B) Hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing will be held to allocate blind sites. At Horseshoe Lake (Alexander County) and Union County, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), will have priority to be reassigned to the better blinds as they become available.
 - C) A \$15.00 Daily Usage Stamp must be purchased at Horseshoe Lake (Alexander County) and Union County. A \$6.00 Daily Usage Stamp must be purchased at Rice Lake.
- 4) When daily quotas are not filled, permits will be issued to standby hunters by a drawing held at the check station.
- 5) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.
- 6) Hunting will be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.
- 7) Baiting with corn, grains or other feed is not allowed.
- 8) Guns must be unloaded and encased at all times when not hunting.
- 9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

- d) Special Canada geese hunting regulations for Horseshoe Lake (Alexander County) and Union County.
 - 1) The legal hunting season is the dates of the Quota Zone goose hunting season except that the areas will be closed December 24, 25 and 26.
 - 2) Hunters may not possess more than 10 shells nor shot larger than size T steel. It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.
 - 3) Hunters cannot leave their blinds and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.
 - 4) Hunters must be at least 16 years of age (except for the Illinois Youth Goose Hunt) to draw for a pit or blind on the Union County or Horseshoe Lake (Alexander County) areas.
- e) Special duck regulations for Rice Lake.
 - 1) The legal hunting season is the dates of the central zone duck hunting season.
 - 2) It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.
 - 3) All hunting parties (each blind) are required to use a minimum of 12 duck decoys.
 - 4) Hunters can bring a private boat or can rent a boat at the area. The maximum motor size limit for private boats is unrestricted and for rental boats is 10 h.p. while hunting. Boats will be provided with blinds on Big Lake and no motors will be allowed.
 - 5) Hunters must be at least 16 years of age to draw for a blind at the Rice Lake area.
 - 6) Rice Lake will be closed to hunting when the lake is frozen over.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 590.25 Illinois Youth Goose Hunting Permit Requirements

- a) State sites covered in this Section, which allow hunting by permit only, are:

Horseshoe Lake Conservation Area (Alexander County)

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

Union County Conservation Areab) Permit Requirements

- 1) Permit reservations will be accepted starting in September. Initial acceptance dates will be publicly announced. Applicants must be between the ages of 10 -15.
- 2) Only one permit per person will be issued for the hunt on December 29, 1989.
- 3) The permit will be for the use of the entire blind and it will be the responsibility of the permit holder to bring one supervising adult who may also hunt at Horseshoe Lake (Alexander County) or Union County.
- 4) Permit reservations and transferability.

A) All duplicate permit reservations will be rejected and the hunter will forfeit his rights to a permit. Permits are not transferable.

B) Permits are not transferable. For other information write to:

Illinois Department of Conservation
Permit Office - Waterfowl
524 S. Second Street
Lincoln Tower Plaza, Room 210
P.O. Box 19227
Springfield, IL 62794-9227

5) Permits for the Illinois Youth Goose Hunt will be issued from the Springfield Permit Office for Horseshoe Lake (Alexander County) and Union County.

c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County) and Union County.

1) Section 590.25(c) shall be in accordance with Federal Regulations (50 CFR 20, effective September 29, 1987) unless the regulations in this Section are more restrictive.

2) Season dates, bag limits and methods of taking geese are set by the U.S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

Hours, Permits and Stamp Charges

- 3) Hours, Permits and Stamp Charges
- A) Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise until 12:00 noon on December 29, 1989.
- B) Hunters with Illinois Youth Goose Hunt permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing will be held to allocate blind sites which have been made void. At Horseshoe Lake (Alexander County) and Union County, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), will have priority to be reassigned to the unused Illinois Youth Goose Hunt Blinds.

C) There is no fee for the Illinois Youth Goose Hunting Permit.
Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamps in the check station while hunting. Persons exempt by law from having a hunting license and a State Migratory Waterfowl Stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

5) Hunting will be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

6) Baiting with corn, grains or other feed is not allowed.

7) Hunters must have a 20 gauge or larger shotgun and provide their own ammunition.

8) Guns must be unloaded and encased at all times when not hunting.

9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.

d) Special Canada geese Illinois Youth Goose Hunt hunting regulations for Horseshoe Lake (Alexander County) and Union County:

1) The legal hunting season is December 29, 1989.

2) Hunters may not possess more than 20 shells nor shoot larger than size T steel. It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.

DEPARTMENT OF CONSERVATION
NOTICE OF PROPOSED AMENDMENTS

- 3) Hunters cannot leave their blind and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.

(Source: Added at 13 Ill. Reg. _____, effective _____)

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENT

- 1) The Heading of the Part: Data Collection
- 2) Code Citation: 77 Ill. Adm Code 2510
- 3) Section Numbers: Adopted Action
2510.55 Amendment
2510.App. D Amendment
- 4) Statutory Authority: Implementing Section IV and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 6504-1 to 6504-5 and par. 6502-3).
- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendments revamp Appendix D which is used to report UB-82 transactions.
- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this amendment contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending on this Part: No.
- 10) Statement of Statewide Policy Objectives:
To provide effective and simplified method for submission of data by hospitals.
- 11) Time, Place and Manner in Which Interested persons May Comment on This Rulemaking: Comments may be submitted in writing to John Noak, Executive Director, Illinois Health Care Cost Containment Council, 527 South Wells, Chicago, Illinois 60602. Written comments should be submitted no later than Wednesday, July 19, 1989.
- 12) Initial Regulatory Flexibility Analysis:
 - A) Date rule submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 10, 1989.
 - B) Type of small business effected: Small hospitals. These amendments simplify the procedure for hospitals in submitting data to the Illinois Health Care Cost Containment Council and rename requirement that a hospital attest that it has submitted a specified percentage of data.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENT

C) Reporting, bookkeeping or other procedures required for compliance: Data Processing

D) Type of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENT

TITLE 77: PUBLIC HEALTH

CHAPTER XI: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

PART 2510

DATA COLLECTION

Section

2510.10

Purpose

Outside Contractor

2510.20

Collection and Submission of Hospital Financial Data

2510.30

Submission of Medicare Cost Reports

2510.40

Collection of Information on Uniform Billing Form

2510.50

Report of Inpatient Discharges

2510.60

Quarterly Reports

2510.70

Special Studies and Analysis

2510.80

Confidentiality

APPENDIX A

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL ANNUAL FINANCIAL DATA REPORT

APPENDIX B

MAGNETIC MEDIA RECORD FORMAT

APPENDIX C

UB-82 DATA FIELDS

APPENDIX D

HOSPITAL TRANSMITTAL FOR UB-82 DISCHARGE DATA

AUTHORITY:

Implementing Article IV and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 6504-1 to 6504-5 and par. 65004-5 and par. 6502-3)

SOURCE:

Adopted and codified at 9 Ill. Reg. 12736, effective August 5, 1985; amended at 10 Ill. Reg. 18790, effective October 17, 1986; amended at 11 Ill. Reg. 1574, effective January 2, 1987; amended at 12 Ill. Reg. 6102, effective March 21, 1988; amended at 13 Ill. Reg. 334, effective December 30, 1988; amended at 13 Ill. Reg. _____, effective _____.

NOTE:

Capitalization denotes statutory language.

Section 2510.55 Report of Inpatient Discharges

a) Effective within thirty (30) days of the effective date of this Section, each hospital shall provide, in writing to the Executive Director, a list by calendar month of the total number of hospital inpatient discharges including new born discharges for the calendar months of April, 1985 through December, 1986 (in the case of multiple births, each child is counted as a discharge).

b) Effective with the filing of UB-82 discharge data on or after the effective date of this Section each hospital shall be required to file with each submission of data, the transmittal form shown in Appendix D with items #1 through #6 #7 completed.

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c) Effective beginning with calendar month January, 1987, each hospital shall within 30 calendar days following the last day of a calendar month, submit in item #8 Appendix D the actual total number of hospital inpatient discharges for that calendar month.

d) Effective beginning with calendar month January, 1987, each hospital shall within 60 calendar days following the last day of a calendar month, attest in item #8 of Appendix D that they have submitted UB-82 discharge data for 95% of the actual total number of hospital inpatient discharges for that calendar month.

e) Effective beginning with calendar month January, 1987, each hospital shall within 180 calendar days following the last day of a calendar month, attest in item #9 of Appendix D that they have submitted UB-82 discharge data for 100% of the actual total number of hospital inpatient discharges for that calendar month.

f) A hospital may submit items #7, item #8 or #9 in Appendix D either in conjunction with or separately from the submission of UB-82 discharge data.

g) All filings required in a) through f) d) shall be sent to:

Illinois Health Care Cost Containment Council
% Precise Data Service, Attention: Data Control Clerks
7550 Plaza Court
Willowbrook, Illinois 60521

(Source: Amended at 13 Ill. Reg. _____, effective _____).

APPENDIX-D

HOSPITAL-TRANSMITTAL-FOR-UB-82-DISCHARGE-DATA

1) Contact Person-----

2) Phone Number---(-----)-----Ext.-----

3) Data Submission Media: Hardcopy-----Tape-----Diskette-----Error Report-----

4) Period Covered---From-----To-----

5) Date Sent to Council-----

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6) Number of UB-82 Records by Month:

Month-----

Number-----

7) Total number of inpatient hospital discharges for the calendar month (MM/YY)-----

(MM)----- (YY)----- (Total Number)-----

8) I attest that I have submitted UB-82 discharge information for 95% of the actual total number of hospital inpatient discharges for the calendar month (s) ending (MM/YY)-----

9) I attest that I have submitted UB-82 discharge information for 100% of the actual total number of hospital inpatient discharges for the calendar month(s) ending (MM/YY)-----

NAME-----TYPE-----

PLEASE SEND THIS TRANSMITTAL SHEET WITH ALL DOCUMENTS AND/OR TAPE AND/OR DISKETTES TO:

ILLINOIS-HEALTH-CARE-COST-CONTAINMENT-COUNCIL
% PRECISE-DATA-SERVICE, ATTENTION: Data Control Clerks
7550-PLAZA-COURT
WILLOWBROOK, ILLINOIS-60521

HOSPITAL-TRANSMITTAL-FOR-UB-82-DISCHARGE-DATA

INSTRUCTIONS FOR COMPLETION OF APPENDIX-D

Items 1 through 6 must be completed for each submission of UB-82 discharge data to the Council:

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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Item-1: Contact Person:--Enter the name of the individual to be contacted by Council if there are any questions regarding the transmittal.

Item-2: Phone Number:--Enter the phone number of contact person.

Item-3: Data Submission Media:--Circle the appropriate media: uHardcopy uUB-82 discharge information, uPaper uUB-82 discharge information, uDiskette uUB-82 discharge information, or hardcopy uError Report uWith corrections.

Item-4: Period Covered:--Enter the dates of the earliest and latest UB-82 discharge data included with the submission.

Item-5: Date Sent to Council:--Enter the date the submission is sent to the Council.

Item-6: Number of UB-82 Records By Month:--Enter on the top lines the names of each month for which data are being submitted (in reverse chronological order) and on the bottom lines the number of records submitted for the corresponding months. Note:--Each UB-82 is counted as a record:--One discharge which uses two UB-82 forms is counted as two records. Records should be batched by month of discharge.

Item-7 must be completed and submitted to the Council for each calendar month within 30 days of the end of the calendar month.

Item-7: Enter the total number of inpatient discharges for the calendar month. For purposes of Council reporting the total number of discharges is defined to include newborn (in the case of multiple births, each child is counted as a discharge) discharges regardless of whether separate UB-82s were issued for the newborns (in the case of multiple births, each child is counted as a discharge).

Item-8 must be completed and submitted to the Council for each calendar month within 60 days of the end of that calendar month.

Item-8: Enter the month or months for which 95% of the actual number of hospital inpatient discharges have been submitted and for which the Council has not previously been notified of this fact.

Item-9 must be completed and submitted to the Council for each calendar month within 180 days of the end of that calendar month.

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Item-9: Enter the month or months for which 100% of the actual number of hospital inpatient discharges have been submitted and for which the Council has not previously been notified of this fact.

The hospital's Chief Executive Officer, Chief Operating Officer or Chief Financial Officer must attest to items #8 and #9.

Items #7, #8, and #9 may be submitted either in conjunction with or separately from the submission of UB-82 discharge data.

In all instances the transmittal form should be sent to:

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL
4-PRCISE DATA SERVICE, ATTENTION: DATA CONTROL CLERKS
7550 PLAZA COURT
WILLOWBROOK, ILLINOIS 60521

{Source:--Added at 11-11-Reg:-----, effective January 27, 1987}.

APPENDIX D HOSPITAL TRANSMITTAL FOR UB-82 DISCHARGE DATA

SUBMITTER IDENTIFICATION ITEMS

1) Hospital Name/Address	_____
2) Hospital ID#	_____
3) Contact Person	_____
4) Phone Number () Ext.	_____

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENT

RECORD BATCH IDENTIFICATION ITEMS

5) Data Submission Media: Hard Copy Tape Diskette Error Report

6) Period Covered - From / / To / /

7) Date Sent to Council / /

Number of UB-82 Records by Month:

Month _____

Number _____

MONTHLY NUMBER OF ACTUAL HOSPITAL INPATIENT DISCHARGES

8) Total number of inpatient hospital discharges for the calendar month (MM/YY) _____

(MM) / (YY) : (Total Number) _____

PLEASE SEND THIS TRANSMITTAL SHEET WITH ALL DOCUMENTS AND/OR TAPE AND/OR DISKETTES TO:

ILLINOIS REGISTER CH XI, Sec. 2510.App. D.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENT

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

% PRECISE DATA SERVICE

7550 PLAZA COURT

WILLOWBROOK, ILLINOIS 60521

ATTENTION: DATA CONTROL CLERKS

HOSPITAL TRANSMITTAL FOR UB-82 DISCHARGE DATA

INSTRUCTIONS FOR COMPLETION

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Items 1 through 4 are to identify the hospital name, hospital 12 digit ID#, and contact persons and must always be completed for each submission of a batch of UB-82 discharge records and/or each submission of information contained in Item 8 to the Council.

SUBMITTER IDENTIFICATION ITEMS

Item 1. Hospital Name/Address: Enter the complete name and address of the hospital submitting the transmittal.

Item 2. Hospital ID#: Enter the 12 digit hospital ID# assigned by the Department of Public Aid.

Item 3. Contact Person: Enter the name of the individual to be contacted by Council if there are any questions regarding the transmittal.

Item 4. Phone Number: Enter the phone number of contact person.

Items 5 through 7 are to identify characteristics of the batch of records and must always be completed for each submission of a batch of UB-82 discharge records to the Council.

RECORD BATCH IDENTIFICATION ITEMS

Item 5. Record Submission Media: Check the appropriate medium - "Hard Copy" UB-82 discharge records, "Tape" UB-82 discharge records, "Diskette" UB-82 discharge records, or "Error Report" with corrections made on hard copy.

Item 6. Period Covered: Enter the dates of the earliest and latest UB-82 discharge records included with the submission.

Item 7. Date Sent to Council: Enter the date the submission is sent to the Council (PDS).

Number of UB-82 Records by Month: Enter on the top lines the names of each month for which date are being submitted (in reverse chronological order) and on the bottom lines the number of records submitted for the corresponding months. Note: Each UB-82 is counted as a record. One discharge which uses two UB-82 forms is counted as two records. Records should be batched by month of discharge.

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Item 8 is to report the number of actual discharges experienced by the hospital for a calendar month, not the number of discharges submitted to the Council, and must be completed and submitted to the Council within 30 days of the end of each calendar month. Item 8 information is separate and distinct from the information to be contained in Items 5 through 7. When correctly submitted, there are to be 12 Item 8's submitted during each year. Item 8 information can be transmitted without any batched UB-82 discharge records, which would result in items 5 through 7 being blank.

MONTHLY NUMBER OF ACTUAL HOSPITAL INPATIENT DISCHARGES

Item 8. Enter the total number of inpatient discharges for the calendar month. For purposes of Council reporting, the total number of discharges must include newborn discharges regardless of whether separate or combined UB-82 records were issued for the newborns.

(Source: Amended at 13 Ill. Reg. ____, effective ____).

ILLINOIS REGISTER

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- | | |
|---|-------------------------|
| 1) <u>Heading of the Part:</u> Treatment | |
| 2) <u>Code Citation:</u> 59 Ill. Adm. Code <u>112</u> | |
| 3) <u>Section Numbers:</u> | <u>Proposed Action:</u> |
| 112.10 | Added |
| 112.20 | Added |
| 112.30 | Added |

- 4) Statutory Authority: Sections 112.10 and 112.20 implementing Sections 3-207, 3-405, 3-903, 4-312, 4-704 and 4-709 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91½, pars. 3-207, 3-405, 3-903, 4-312, 4-704 and 4-709) and Section 112.30 implementing Section 7 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities" (Ill. Rev. Stat. 1987, ch. 91½, par. 100-7) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91½, par. 5-104) and Section 5 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities" (Ill. Rev. Stat. 1987, ch. 91½, par. 100-5).

- 5) A Complete Description of the Subjects and Issues Involved:

Section 112.10 establishes the Department's rule on utilization review committees, the conduct of utilization review hearings and the procedures for handling those situations, i.e., the denial of admission, transfer or discharge of a recipient, which may result in a utilization review hearing.

Section 112.20 establishes the Department's rule on the admission of persons diagnosed as both mentally retarded and mentally ill to Department facilities and the development of treatment and habilitation plans for these persons. Section 112.20 provides that utilization review hearings involving these persons shall be conducted in accordance with Section 112.10.

Section 112.30 establishes the Department's rule governing physical and dental examinations for all recipients in Department facilities and provides for informed consent for services and treatment of all recipients. Section 112.30 incorporates standards governing physical and dental examinations established by the Joint Commission on Accreditation of Healthcare Organizations and Accreditation Council on Services for

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People with Developmental Disabilities as well as referencing those requirements set by the Illinois Department of Public Health at 77 Ill. Adm. Code 350.

In addition, the Part title has been amended to more accurately reflect the contents of Part 112.

- 6) Will these proposed amendments replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? These amendments do not contain any incorporations by reference pursuant to Section 6.02(b) of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1006.02(b)).
- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2201 et seq.).

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to: Rules Administrator, Department of Mental Health and Developmental Disabilities, 400 Stratton Building, Springfield, IL 62706, telephone (217)785-3313.

- 12) Initial Regulatory Flexibility Analysis: This rulemaking does not impact small businesses.

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 59: MENTAL HEALTH CHAPTER 1: DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

PART 112 TREATMENT AND HABILITATION SERVICES

Section

112.10 Utilization review hearings
112.20 Admission, treatment and habilitation of mentally retarded persons
112.30 Recipient physical and dental examinations and informed consent for services

112.40 Release and burial of deceased recipients
112.50 Tuberculosis control program (Repealed)
112.70 Protection of human subjects
112.80 Use of narcotics and psychotropic drugs in Department facilities
112.90 Administration of psychotropic drugs

AUTHORITY: Implementing Sections 3-207, 3-405, 3-903, 4-312, 4-704 and 4-709 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, pars. 3-207, 3-405, 3-903, 4-312, 4-704 and 4-709) and Sections 5.1 and 7 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities" (Ill. Rev. Stat. 1985 1987, ch. 91, pars. 100-5.1 and 100-7) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, par. 5-104) and Section 5 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities" (Ill. Rev. Stat. 1985 1987, ch. 91, par. 100-5).

SOURCE: Release and Burial of Deceased Patients adopted at October 1, 1969; Tuberculosis Control Program adopted at May 28, 1975; Protection of Human Subjects adopted at October 2, 1973; Use of Narcotics and Psychotropic Drugs in Department Facilities adopted at July 1, 1974; amended at 3 Ill. Reg. 28, p. 90, effective July 16, 1979; amended at 4 Ill. Reg. 17, p. 234, effective April 15, 1980; Administration of Psychotropic Drugs adopted at June 14, 1974; amended at 3 Ill. Reg. 28, p. 100, effective July 16, 1979; amended at 4 Ill. Reg. 17, p. 234, effective April 15, 1980; rules merged and codified at 5 Ill. Reg. 10725; amended at 9 Ill. Reg. 12785, effective August 1, 1985; amended at 10 Ill. Reg. 11894, effective July 1, 1986; amended at 13 Ill. Reg. effective

NOTE: Bold-face type denotes statutory language.

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Section 112.10 Utilization review hearings

a) Utilization review hearings shall be conducted in accordance with Sections 3-207, 3-405, 3-903, 4-312, 4-704 and 4-709 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, pars. 3-207, 3-405, 3-903, 4-312, 4-704 and 4-709). When a person who is evaluated as being mildly or moderately mentally retarded, resides in a Department mental health facility and objects to the facility director's certification of the treatment and habilitation plan or the appropriateness of the setting, a utilization review hearing shall be conducted in accordance with Section 112.20(g).

b) Definitions

"Aftercare." The continuation of needed care and services of a recipient discharged from a state-operated facility within an appropriate setting with individualized follow-up services.

"Conditional discharge." The placement of a developmentally disabled recipient out of a facility for continuing habilitation provided under supervision of the Department. (Ill. Rev. Stat. 1987, ch. 91, par. 4-702)

"Day." As used in this Section and in Section 112.20 means calendar day unless otherwise indicated.

"Discharge." The full release of any person admitted under the provisions of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, pars. 1-100 et seq.), or transferred under the provisions of Sections 3-8-5, 3-8-6, 3-10-5 and 3-10-6 of the Unified Code of Corrections (Ill. Rev. Stat. 1987, ch. 38, pars. 1003-8-3, 1003-8-6, 1003-10-5 and 1003-10-6 et seq.) for treatment or habilitation. "Discharge" does not include the release of a temporary admittee.

"Guardian." The plenary guardian or guardian of the person of an adult or a minor appointed by a court pursuant to the Probate Act of 1975 (Ill. Rev. Stat. 1987, ch. 110, par. 1-1 et seq.), or of a minor subject to the jurisdiction of the Juvenile Court Act of 1987 (Ill. Rev. Stat. 1987, ch. 37, par. 801-1 et seq.). It does not include a guardian ad litem or person in loco parentis.

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"Guardian ad litem." A person appointed by the court to defend or represent the interests of a minor or alleged incompetent during a guardianship proceeding or in other matters. This person has no right to interfere with the minor's or alleged incompetent's person or estate.

"In loco parentis." Any individual, other than a parent or legal guardian, who has the primary functional responsibility of providing food, shelter, medical care and education to a minor.

"Person subject to involuntary admission." A person who is mentally ill and who because of his/her illness is reasonably expected to inflict serious physical harm on him/herself or another in the near future; or is unable to provide for his/her basic physical needs so as to guard him/herself from serious harm. (Ill. Rev. Stat. 1987, ch. 91, par. 1-119)

"Responsible relative." The spouse or parent of a recipient who is under 18 years of age. (Ill. Rev. Stat. 1987, ch. 91, par. 1-124)

"Transfer." The movement of a recipient from one Department facility to another Department facility or to a Veterans' Administration facility. This does not include movement from a Department facility to a non-Department facility (other than to a Veterans' Administration facility) or movement between separate units or discreet portions of the same facility. It also does not include the discharge of a recipient.

c) Notice requirements

1) Notice of denial of admission

Whenever a person seeking admission to a Department facility is denied admission by the facility, the person shall be given written notice of his/her right to request a review of the denial within two business hours of the facility's decision on MHDD-19a, Notice of Denial of Admission and Right to Request Review (for the mentally ill) or MHDD-19b, Notice of Denial of Admission and Right to Request Review (for the developmentally disabled).

2) Notice of transfer

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A) Whenever a recipient who has been in a Department facility for more than seven days is to be transferred to another facility, the facility director shall give written notice of such proposed transfer on form MHDD-14a, "Notice of Transfer" (for the mentally ill) or on form MHDD-14b, "Notice of Transfer" (for the developmentally disabled), at least 14 days prior to the scheduled transfer.

B) Notice of the transfer shall be given to:

- i) The recipient, if the recipient is age 18 or older;
- ii) The recipient's guardian, if any;
- iii) The recipient's attorney;
- iv) Any two persons designated by the recipient;
- v) The recipient's nearest adult relative, if there is no guardian but the recipient lacks sufficient capacity to understand the designation of persons; or
- vi) The recipient's parents, if the recipient is age 17 or younger.

C) Notice of transfer and the right to object shall be given to recipients being transferred to the Chester Mental Health Center even when such recipients have been in the Department facility for less than seven days. Except in an emergency, as specified in paragraph (3) below, no transfer can proceed pending a hearing on an objection. (See subsection (e)(3) for waiver provisions.)

3) Notice of emergency transfer

In an emergency, when the health of the recipient or the physical safety of the recipient or others is imminently imperiled and appropriate care and services are not available where the recipient is located, a recipient shall be transferred to another facility as soon as transfer arrangements can be made, provided that notice is given in accordance with paragraph (2) above, as soon as possible but not later than 48 hours after the transfer.

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4) Notice of discharge

A) Recipient in a mental health facility

i) Adult - Notice shall be given to the adult recipient, the recipient's attorney, and guardian, if any, on form MHDD-22a, "Notice of Discharge", at least seven days prior to the date of intended discharge.

ii) Minor - Notice shall be given to his/her attorney, his/her parent, guardian, or person in loco parentis who executed the application for admission, and to the minor if he/she is 12 years of age or older, on form MHDD-22a, "Notice of Discharge", at least seven days prior to the date of intended discharge.

B) Recipient in a developmental disabilities facility

i) Notice shall be given at least 14 days prior to the date of discharge.

ii) Notice shall be given on MHDD-22b, "Notice of Discharge", to the recipient, if he/she is 12 years of age or older, to the recipient's attorney and guardian, if any, and to the person who executed the application for admission. Notice shall be given on form MHDD-22c, "Notice of Discharge", to the resident school district, if the recipient is receiving educational services.

C) Discharge pending a hearing

No discharge shall proceed pending a hearing on an objection, unless the person objecting to the discharge consents to discharge pending the outcome of the hearing.

5) Notice contents

A) All notices for transfers or discharge shall include:

- i) The reasons for the transfer or discharge;

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- ii) A statement of the right to object; and
- iii) The address and telephone number of the Guardianship and Advocacy Commission for those recipients in mental health facilities; or
- iv) The address and telephone number of the Protection and Advocacy, Inc., for those recipients in developmental disabilities facilities.

B) In the case of competent adults, the notices to the responsible relative(s) shall not contain the statement of their right to object since in such instances the relative(s) cannot object on behalf of a legally competent person.

C) If the recipient's or guardian's primary language is not English or if the recipient or guardian is hearing impaired, arrangements must be made to provide for an adequate explanation in the person's primary language or preferred method of communication of the recipient's right to request a review. If a staff member is available who is fluent in the language required, he or she should be requested to explain the notice to the recipient or guardian.

D) Notices to the school district in the event of a discharge are exempt from the contents requirement in paragraph (A)(ii) above.

6) Manner of service of notices

All notices required by Sections 3-405(a), 3-903(a), 3-910, 4-312(a), 4-704(a) and 4-709 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat., 1987, ch. 91, pars. 3-405(a), 3-903(a), 3-910, 4-312(a), 4-704(a) and 4-709) shall be served personally on the recipient and/or objector whenever possible, or by first class mail.

7) Aftercare and case coordination

Aftercare and case coordination shall be provided to all discharged and conditionally discharged recipients in accordance with 59 Ill. Adm. Code 125, Recipient Discharge/Linkage/Aftercare.

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d) Requests for review of denial of admission1) To a mental health facility

A) Adult - A review of a denial of admission may be requested by the person seeking admission or, with the person's written consent, by an interested person on his/her behalf.

B) Minor - The request may be made by the minor's attorney, by his/her parent, guardian or person in loco parentis who executed the application for admission, or by the minor if the minor is 16 years of age or older.

2) To a developmental disabilities facility

A review of the denial of admission may be requested by the person who executed the application for admission or by the attorney or guardian of the person for whom admission is sought.

3) Manner of requesting review

The request for review must be submitted, in writing, to the facility director of the facility to which admission was sought within 14 days of the denial. Facility personnel shall, if requested, assist an individual who cannot write or who has considerable difficulty writing to write a request.

4) Admission pending review

An individual requesting review of admission denial does not have a right to admission pending the outcome of the hearing and review.

e) Objection to a transfer or discharge1) Transfer of a recipient

A) Adult recipient in a mental health facility

A recipient may object to his/her transfer or the recipient's attorney, guardian, or responsible relative may object on the recipient's behalf, except that:

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i) For a legally competent adult recipient, only the recipient may object to the transfer.

ii) For a recipient with a guardian, only the guardian may object to the transfer.

B) Minor recipient in a mental health facility

The minor's attorney, the person who executed the application for admission, or the minor, if the minor is 12 years of age or older, may object to the transfer.

C) Recipient in a developmental disabilities facility

A recipient may object to his/her transfer or any person entitled to receive notice under subsection (c)(2), may object on the recipient's behalf, except that:

i) For a legally competent adult recipient, only the recipient may object to the transfer.

ii) For a recipient with a transfer with a guardian, only the guardian may object to the transfer.

D) Manner of making an objection

An objection to a transfer must be submitted, in writing, prior to the transfer or within 14 days after an emergency transfer to the facility director of the facility where the recipient is located. Facility personnel shall, if requested, assist a recipient who is unable to write or has considerable difficulty writing to write an objection.

2) Discharge of a recipient

A) In a mental health facility

i) Adult - A recipient may object to his/her discharge or the recipient's attorney or guardian may object on the recipient's behalf, except that for a legally competent adult recipient, only the recipient may object to the discharge.

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ii) Minor - The minor's attorney, the person who executed the application for admission, or the minor, if the minor is 12 years of age or older, may object to the discharge.

B) In a developmental disabilities facility

The recipient, if he/she is 12 years of age or older, may object to the discharge or conditional discharge, or the recipient's attorney or guardian, or the person who executed the application for admission, may object on the recipient's behalf, except that for a legally competent adult recipient, only the recipient may object to the discharge or conditional discharge.

C) Manner of making an objection

All objections to a discharge must be submitted, in writing, to the facility director of the facility where the recipient is located prior to the discharge. Facility staff shall, if requested, assist a recipient who is unable to write or has considerable difficulty writing to write an objection.

3) Waiver of hearing

A) Any person entitled to request a hearing regarding a denial of admission, a discharge or a transfer may waive his/her hearing thereon. If a legally competent adult recipient waives his/her hearing, a request for a hearing made by another person will not be honored.

B) A waiver shall be deemed effective only if all of the following conditions are satisfied:

i) The person has been advised of his/her rights to object and to have a hearing;

ii) The person has been advised of and understands the consequences of waiving such hearing; and

iii) The person has expressed his/her waiver of the hearing in writing.

C) All waivers shall be filed in the recipient's medical record along with the notice. The record should:

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- i) Reflect that the recipient was advised and understood the consequences of the waiver; and
- ii) Indicate who made the decision that the recipient understood the consequences of the waiver.

D) When a waiver of a hearing has been effectively made, the Department may proceed to implement its transfer or discharge.

E) If the person withdraws the waiver prior to the expiration of the 14-day period for transfer or the seven-day period for discharge, such action shall be considered a formal objection and a hearing shall be scheduled. The responsibility for the hearing shall be with the transferring or discharging facility.

f) The utilization review committee1) Appointment

Each Department facility director shall appoint a utilization review committee(s) in accordance with Sections 3-207 and 4-209 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, pars. 3-207 and 4-209) to hear requests for review and objections received under the Mental Health and Developmental Disabilities Code.

A) The committee shall consist of at least three and not more than seven members, who shall represent at least two different professional clinical disciplines, trained and equipped to deal with the recipient's clinical and treatment needs (for the mentally ill) or habilitation needs (for the developmentally disabled). Clinical disciplines include psychiatry, psychology, medicine, nursing, social work, or these other disciplines that qualify a person to be a qualified mental retardation professional, as defined in Section 112.20(d).

i) The committee membership may be permanent or rotating, in the facility director's discretion.

ii) The facility director, or any staff member involved in the decision to admit, transfer or

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discharge the recipient shall not be a committee member or participate in the committee's decision on any request for review or objection.

B) The facility director, or at the facility director's discretion, the committee, shall appoint, from the committee's membership, a chairperson who shall have the duties and responsibilities as set forth in subsection (g)(2)(A) below.

g) The utilization review hearing1) General provisionsA) Scheduling the hearing

Upon receipt of a request for a review or an objection, the facility director shall schedule a hearing to be held at the facility within seven working days. If the hearing is to review an objection to a transfer, the hearing shall be held at the transferring facility. When an emergency transfer has taken place, the hearing will be held at the receiving facility, provided that the hearing may be held at the transferring facility when the facility director of the receiving facility finds that either of the parties would not be able to completely present evidence at a hearing at the receiving facility.

B) Notice of hearing

The recipient and objector shall be informed, in writing, of the time, place and date of the hearing either personally or by first class mail at least 72 hours before the hearing.

C) Continuances

The committee chairperson in his/her sole discretion, may grant a continuance of the hearing at the request of the Department or the recipient or objector if he/she determines that a continuance would not adversely affect the rights of the parties.

D) Representative

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The recipient and objector may be represented at the hearing by any person of his/her choice, subject to the provisions of paragraph (2)(A)(iv) below.

E) Witnesses

The Department and the recipient and objector may present evidence orally and in writing and may present argument. The facility director or designee shall appoint one or more persons to present the Department's case at the hearing.

F) Right to be present

Unless waived by the recipient or his/her attorney, the recipient or the objector (if not the recipient) has the right to be present at the hearing. Responsible relatives and other interested persons may attend the hearing at the discretion of the committee chairperson and the permission of the recipient. The chairperson may permit their attendance if their presence will not disrupt the conduct of the hearing.

2) Hearing proceduresA) Duties of the chairperson

The chairperson is responsible for the orderly conduct of the utilization review hearing. He/she shall conduct the hearing so that both the facility and the objector are allowed to present their evidence and arguments completely. To these ends, the chairperson has the following authorities and responsibilities, including, but not limited to:

- i) Prescribing the order of presentation of information and witnesses;
- ii) Imposing reasonable limitations on the amount of time each witness may testify;
- iii) Terminating the taking of testimony when the committee is satisfied that both parties have presented all relevant information.

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iv) Declaring an individual ineligible to represent the recipient or objector due to his/her employment by the Department. If the chairperson declares an individual ineligible, he/she shall give the recipient an opportunity to secure a substitute within a reasonable time. This shall not be used to prevent a Department employee from testifying on behalf of the recipient;

v) Taking official notice on the record of generally recognized technical, scientific or clinical facts within the Department's specialized knowledge;

vi) Insuring that a complete and accurate record of the hearing is made by an audio tape or stenographic recording;

vii) Insuring that the committee's findings of fact, conclusions and recommendations are in compliance with subsection (1)(2).

B) Evidence

i) The committee shall not be bound by the rules of evidence or procedure, but shall conduct the proceedings in a manner that both insures both parties are allowed to present their evidence and arguments completely.

ii) When the hearing will be expedited and the interests of the parties will not be prejudiced, all or any part of the evidence may be received in written form.

iii) Cross-examination of witnesses by counsel or the parties shall not be permitted under any circumstances, but any party may ask questions of any other party and the committee may ask questions of any party or witness.

iv) If the chairperson takes notice of any generally recognized technical, scientific, or clinical facts within the Department's specialized knowledge, he/she shall so inform the recipient and objector and shall afford them an opportunity

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to contest the material so noticed. The committee may use the Department's experience, technical competence and specialized knowledge in its evaluation of the evidence.

h) Standards

1) For denial of admission to a mental health facility

A) Informal and voluntary

The person may be denied admission if he/she is not clinically suitable for admission. This standard applies to all persons age 16 years or older who have executed their own application for admission. (Sections 3-300(a), 3-400 and 3-502 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, pars. 3-300(a), 3-400 and 3-502).

B) Application for a minor executed by his/her parent(s), guardian or person in loco parentis

The minor may be denied admission if the minor:

- i) Does not have a mental illness or emotional disturbance; or
- ii) Does not have a mental illness or emotional disturbance of such severity that hospitalization is necessary; or
- iii) Has a mental illness or emotional disturbance of such severity that the minor's hospitalization is necessary but the minor is unlikely to benefit from inpatient treatment. (Section 3-503(a) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 3-503(a))

C) Application for a minor is executed by another person 18 or older

The minor may be denied admission if those conditions listed in (B) above are present or if the minor is not in such condition that immediate hospitalization is necessary. (Section 3-504(a) of the Mental Health and

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Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 3-504(a))

D) Emergency admission by certification

A person, 18 years or older, may be denied admission to a mental health facility if:

- i) The person is not subject to involuntary admission; or
- ii) The person is subject to involuntary admission, but is not in need of immediate hospitalization. (Sections 1-119 and 3-600 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, pars. 1-119 and 3-600)

E) Involuntary admission

A person may be denied admission as an involuntary admittee if he/she is under 18 years of age or if there is no court order admitting the person to a mental health facility. (Section 3-700 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 3-700)

2) For denial of admission to a developmental disabilities facility

A) Administrative admission

A person may be denied admission if he/she is not clinically suitable for admission. (Section 4-302 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 4-302)

B) Temporary admission

A person may be denied admission if:

- i) He/she is not developmentally disabled; or
- ii) The parent or guardian will not benefit from respite care; or

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iii) There is no crisis which necessitates immediate temporary residential services. (Section 4-311 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 4-311)

C) Emergency admission

A person 18 years or older may be denied admission on an emergency basis if:

i) He/she is not mentally retarded; or

ii) He/she is mentally retarded but is not reasonably expected to inflict serious physical harm upon him/herself or another in the near future; or

iii) He/she is mentally retarded and is reasonably expected to inflict serious physical harm upon him/herself or another in the near future but immediate admission is not necessary to prevent such harm. (Section 4-400 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 4-400)

D) Judicial admission

A person may be denied admission as a judicial admittee if he/she is under 18 years of age or if there is no court order admitting him/her. (Section 4-500 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 4-500)

3) For transfer from a mental health facilityA) Transfers within seven days of admission

Except for a transfer to a more restrictive facility, the decision to transfer within seven days of admission is at the discretion of the facility director.

B) All transfers occurring more than seven days after admission

The facility director may transfer a recipient if the transfer is clinically advisable and consistent with

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the recipient's treatment needs as defined by the recipient's individual treatment plan. (Section 3-908 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 3-908)

C) Emergency transfers

A recipient may be transferred as soon as the transfer can be arranged when the health of the recipient or the physical safety of the recipient or others is imminently imperiled and appropriate care is not available at the facility where the recipient is located. (Section 3-910(b) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 3-910(b))

D) Transfer to a more restrictive facility

A recipient may be transferred if the transfer is clinically advisable and consistent with the recipient's treatment needs as defined by the recipient's individual treatment plan and is required for the safety of the recipient or others. (Sections 3-908 and 3-910(d) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, pars. 3-908 and 3-910(d))

E) Transfer of minors to adult units

A minor recipient may be placed in the same unit with adult recipients if:

i) The placement is to a medical-surgical unit because of a physical illness; or

ii) The minor recipient is between 13 and 18 years of age and temporary security measures are needed. (Section 100-7 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities", Ill. Rev. Stat. 1987, ch. 91½, par. 100-7)

4) For transfer from a developmental disabilities facilityA) Transfers within seven days of admission

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Except for a transfer to a more restrictive facility, the decision to transfer within seven days of admission is at the discretion of the facility director.

- B) All transfers occurring more than seven days after admission

The facility director may transfer a recipient if the transfer is appropriate and consistent with the recipient's habilitation needs as defined by the recipient's individual habilitation plan. A facility which is close to the recipient's place of residence shall be preferred unless the recipient requests otherwise or unless compelling reasons exist for preferring another facility. (Section 4-707 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 4-707)

- C) Emergency transfers

A recipient may be transferred as soon as the transfer can be arranged when the health of the recipient or the physical safety of the recipient or others is imminently imperiled and appropriate care and services are not available at the facility where the recipient is located. (Section 4-709(a) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 4-709(a))

- D) Transfers to a more restrictive facility

A recipient may be transferred if the transfer is appropriate and consistent with the recipient's habilitation needs as defined by the recipient's individual habilitation plan and the transfer is reasonably required for the safety of the recipient or others. (Sections 4-707 and 4-709(c) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 4-707 and 4-709(c))

- E) Transfer of minors to adult units

A minor recipient may be placed in the same unit with adult recipients if:

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- i) The placement is to a medical-surgical unit because of a physical illness; or

- ii) The minor recipient is between 13 and 18 years of age and temporary security measures are needed. (Section 100-7 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities", Ill. Rev. Stat. 1987, ch. 91½, par. 100-7)

- 5) For all discharges

For all discharges, the Department must not only prove by evidence offered at the hearing that the standards cited in subsections (f)(6) and (f)(7) have been met, but must also determine and have in writing the determination that the recipient to be discharged is not currently in need of hospitalization and:

- A) Is able to live independently in the community; or

- B) Requires further oversight and supervisory care for which arrangements have been made with responsible relatives or a supervised residential program approved by the Department; or

- C) Requires further personal care or general oversight as defined in the Nursing Home Care Act (Ill. Rev. Stat. 1987, ch. 111½, par. 4151-101 et seq.), for which placement arrangements have been made with a family home or other licensed facility approved by the Department under Section 15 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities". (Ill. Rev. Stat. 1987, ch. 91½, par. 100-15)

- 6) For discharges from a mental health facility

- A) Voluntary, informal or minor admissions

The facility director may discharge any voluntary, informal or minor recipient who is clinically suitable for discharge. (Section 3-902(a) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91½, par. 3-902(a))

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B)

Involuntary admissions

The facility director shall discharge any recipient who is admitted on a court order for involuntary admission when the recipient is no longer subject to involuntary admission, unless voluntary admission is requested and the recipient is clinically suitable. (Sections 1-119 and 3-902(b) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91, pars. 1-119 and 3-902(b))

C)

Transfers from Department of Corrections

The facility director shall release to the Department of Corrections any recipient transferred to the Department of Mental Health and Developmental Disabilities from the Department of Corrections under the provisions of Sections 3-8-5, or 3-10-5 of the Unified Code of Corrections (Ill. Rev. Stat. 1987, ch. 38, pars. 1003-8-5, 1003-10-5) when the recipient is no longer subject to involuntary admission, if he or she is 18 or older, or if the recipient no longer meets the standard for admission of a minor to a mental health facility if he or she is 17 or younger. (Sections 3-8-6 or 3-10-6 of the Unified Code of Corrections, Ill. Rev. Stat. 1987, ch. 38, pars. 1003-8-6 or 1003-10-6)

7) For discharges from a developmental disabilities facility

A)

Administrative and temporary admissions

The facility director may discharge any recipient who is suitable for discharge. (Section 4-701(a) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91, par. 4-701(a))

B)

Conditional discharge

The facility director may grant a conditional discharge to a recipient when conditional discharge is appropriate and consistent with the recipient's habilitation needs. (Section 4-702(a) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91, par. 4-702(a))

C)

Judicial admissions

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A recipient admitted to a facility upon court order for judicial admission may be discharged when the recipient no longer meets the standard for judicial admission, unless administrative admission is requested and the recipient is clinically suitable. (Sections 4-500 and 4-701(b) of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1987, ch. 91, pars. 4-500 and 4-701(b))

D)

Transfers from Department of Corrections

The facility shall release to the Department of Corrections any recipient transferred to the Department of Mental Health and Developmental Disabilities from the Department of Corrections under the provisions of Sections 3-8-5, or 3-10-5 of the Unified Code of Corrections (Ill. Rev. Stat. 1987, ch. 38, pars. 1003-8-5, 1003-10-5) when the recipient no longer meets the standard for judicial admission, if he or she is 18 or older, or if the recipient is suitable for administrative admission to a developmental disability facility, if he or she is 17 or younger. (Sections 3-8-6 or 3-10-6 of the Unified Code of Corrections, Ill. Rev. Stat. 1987, ch. 38, pars. 1003-8-6 or 1003-10-6)

i) The committee's findings of fact, conclusions and recommendations

1)

Within three working days of the conclusion of the utilization review hearing, the committee shall submit to the facility director its written findings of fact, conclusions and recommendations. The committee shall not consider or decide questions of law.

2)

Findings of fact, conclusions and recommendations shall be separately stated and so labeled. Findings of fact shall be based exclusively on the evidence and on matters officially noticed. The Department has the burden of proof in all utilization review hearings.

A) Findings of fact

To conclude that the Department has sustained its burden of proof, the committee must find that the Department has established the facts by substantial

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evidence. Substantial evidence is such evidence as a reasonable person can accept as adequate to support a conclusion.

B) Conclusions and recommendations

i) If the committee finds that the Department has established the facts by substantial evidence, it shall make its written conclusion that the decision was based on substantial evidence and shall recommend that the decision be upheld.

ii) The committee shall recommend that the decision be overturned if it concludes that the Department has not sustained its burden of proof.

C) Manner of service of the committee's recommendations

A copy of the committee's recommendations, with its factual findings and conclusions, shall be given to the recipient and objector at the time the recommendations are submitted to the facility director. Service may be made either personally or by certified first class mail.

j) Facility director decision

The facility director shall review the committee hearing record to determine if the evidence supports the committee's findings of fact, conclusions and recommendations. The facility director shall not consider or decide issues of law nor participate in reviewing the committee's recommendations in those instances in which the facility director made the original decision which was appealed. In such circumstances, the facility director shall appoint a designee to review the committee's findings, conclusions and recommendations.

1) Decision

Within seven working days, excluding Saturdays, Sundays and holidays, of receipt of the committee's recommendations, the facility director shall either accept or reject the recommendations and shall state the reasons for accepting or rejecting the recommendations. If the reasons are in statutory language, the facility director shall provide a concise statement explaining the decision.

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2) Manner of service of notice

The facility director shall give written notice using form MHDD-23, "Notice of Facility Director's Decision", either by personal delivery or by certified first class mail, to the recipient and objector within the seven days specified in paragraph (1) above.

3) Right to review

A) The facility director shall, in every case, advise the recipient and objector that if further review of his/her decision is desired, it may be obtained by requesting review by the Associate Director for Clinical Services, in writing to the facility director, within seven working days of receipt of the decision.

B) If the facility director rejects the committee's recommendations or if the recipient or objector requests a review of the facility director's decision, the facility director shall forward a copy of his/her decision, the committee's recommendations and the hearing record to the Associate Director for Clinical Services within two working days.

k) Review by the Associate Director for Clinical Services

1) How requested

Whenever a recipient or objector requests that the Associate Director for Clinical Services review the facility director's decision, such request must be in writing, either to the facility director or to the Associate Director for Clinical Services. The person submitting the request must state the reasons he/she believes that the facility director's decision is incorrect.

2) Time for request

The person submitting the request for review must submit it within seven days of receipt of the facility director's decision. If he/she does not submit a request for review within this period, the facility director's decision shall be deemed final and reviewable in accordance with the Administrative Review Law (Ill. Rev. Stat. 1987, ch. 110, par. 3-101 et seq.)

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3) Scope of the review

The Associate Director for Clinical Services's review shall extend to all questions of law and of fact presented by the entire record of the utilization review hearing and the facility director's decision. The Associate Director for Clinical Services shall not consider any additional evidence. The committee's findings and conclusions on questions of fact shall be presumed to be true and correct.

4) Associate Director for Clinical Services's authority

The Associate Director for Clinical Services shall, in reviewing any facility director's decision, have the authority, if he/she deems it necessary to reach a decision as to any question of fact or law based on the complete record:

- A) To require the facility director or committee to amend, or complete the committee's hearing record;
- B) To dismiss a request for review as moot or not ready for adjudication;
- C) To approve or disapprove the facility director's decision in whole or in part;
- D) To reverse and remand the facility director's decision in whole or in part and, in such case, to state the questions requiring further hearing or proceedings and to give such other instructions as deemed proper;
- E) To remand the committee for the purpose of taking additional evidence when from the state of the record of the hearing, it shall appear that such is necessary to resolve the issues raised at the hearing.
- F) To stay the effective date of his/her decision in appropriate cases.

5) Manner of service of decision

The Associate Director for Clinical Services's decision shall be served on the recipient and objector, either by personal delivery or by certified first class mail, addressed to the

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recipient and objector at his/her last known address no later than 30 days after the person has submitted the request for the review.

6) Final administrative decision

The Associate Director for Clinical Services's decision shall constitute the Department's final administrative decision and no application for rehearing will be entertained. The decision is then reviewable in accordance with the Administrative Review Law. (Ill. Rev. Stat. 1987, ch. 110, par. 3-101 et seq.)

(Source: Added at 13 Ill. Adm. Code _____, effective _____)
Section 112.20 Admission, treatment and habilitation of mentally retarded persons

Mentally retarded persons shall be admitted to Department facilities in accordance with the following procedures.

a) Admission

Persons shall be admitted to Department facilities based on an assessment of their current individual needs and not solely on the basis of inclusion in a particular diagnostic category, identification by a sub-average intelligence test score, or consideration of a past history of hospitalization or residential placement.

b) Treatment and habilitation plans

Treatment and habilitation plans formulated for persons in Department facilities shall be governed by and conform to the Sections 3-209 and 4-309 of Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 914, pars. 1-100 et seq.).

c) Classification

All diagnoses of retardation shall be defined according to the Diagnostic and Statistical Manual of Mental Disorders, Revised Third Edition (DSM-III-R) (American Psychiatric Association, 1987 with no later editions or amendments).

d) Definitions

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"Mental health facility." Any facility operated by the Department or any unit within such a facility which is used for the treatment of persons who are mentally ill as provided in Chapter 3 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, pars. 3-100 - 3-1003).

"Mental retardation." Significantly subaverage intellectual functioning: an intelligence quotient (IQ) of 70 or below on an individually administered IQ test; concurrent deficits or impairments in adaptive behavior, the person's age being taken into consideration; onset before the age of 18. There are four subtypes based on IQ levels: mild mental retardation (50-55 to 70), moderate mental retardation (35-40 to 50-55) severe mental retardation (20-25 to 35-40) and profound mental retardation (below 20 or 25).

"Qualified mental retardation professional (QMPP)" (42 CFR 483 et seq., 1988, with no later editions or amendments). Any of the following persons who have specialized training in the following areas or one year of experience in working with or treating the mentally retarded:

An educator with a degree in education from an accredited program.

A physical therapist licensed in accordance with Section 2 of "AN ACT in relation to physical therapy" (Ill. Rev. Stat. 1987, ch. 111, par. 4252).

An occupational therapist licensed pursuant to Section 3 of the Illinois Occupational Therapy Practice Act (Ill. Rev. Stat. 1987, ch. 111, par. 3703).

A physician licensed by the State of Illinois to practice medicine or osteopathy pursuant to Section 3 of the Medical Practice Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, par. 4400-3).

A licensed psychologist with a doctorate from an accredited program pursuant to Section 10 of the Clinical Psychologist Licensing Act (Ill. Rev. Stat. 1987, ch. 111, par. 5360).

A registered nurse with a valid current Illinois registration to practice as a registered professional

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nurse (Ill. Rev. Stat. 1987, ch. 111, par. 3402) pursuant to Section 4 of The Illinois Nursing Act of 1987.

A speech-language pathologist or audiologist licensed pursuant to Section 7 of The Illinois Speech-Language Pathology and Audiology Practice Act (P.A. 85-1391, approved and effective September 2, 1988).

A licensed social worker or a licensed clinical social worker with at least a master's degree pursuant to Section 9 of The Clinical Social Work and Social Work Practice Act (Ill. Rev. Stat. 1987, ch. 111, par. 6359).

A therapeutic recreation specialist who is a graduate of an accredited program and eligible for certification by the National Council for Therapeutic Recreation Certification.

A rehabilitation counselor who is certified by the Commission on Rehabilitation Counselor Certification.

e) Severely or profoundly mentally retarded persons

1) Any person admitted to a Department mental health facility with an admitting diagnosis of severe or profound mental retardation shall be transferred to a developmental disabilities facility or unit within 72 hours of admission unless transfer is contra-indicated by the person's medical condition documented by the evaluating physician.

2) Any person who is diagnosed as severely or profoundly mentally retarded while in a Department mental health facility shall be transferred to a developmental disabilities facility or unit within 72 hours of such diagnosis unless the transfer is contra-indicated by the person's medical condition as documented by the evaluating physician.

f) Mildly or moderately mentally retarded persons

1) Any person admitted to a Department mental health facility who may be mildly or moderately mentally retarded in the clinical judgment of facility staff, including those who are also mentally ill, shall be evaluated by a multi-disciplinary team which includes a qualified mental retardation

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professional as defined in (d) above. The evaluation shall be consistent with Section 4-300(b) of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, par. 4-300(b)) and shall include:

- A) A written assessment whether the person needs a habilitation plan consistent with Section 4-309 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, par. 4-309), and
- B) A written determination whether the admitting facility is capable of providing the specified habilitation services.

2) This evaluation shall occur within a reasonable period of time, but in no case shall exceed 14 days after admission. In all events, a treatment plan shall be prepared for the person within three days of admission, and reviewed and updated every 30 days, consistent with Section 3-209 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, par. 3-209).

3) A mentally retarded person shall not reside in a Department mental health facility unless the person is evaluated and is determined to be mentally ill and the facility director determines that appropriate treatment and habilitation are available and will be provided to such person at the facility. In all such cases the mental health facility director shall certify in writing within 30 days of the completion of the evaluation and every 30 days thereafter, that the person has been appropriately evaluated, that services specified in the treatment and habilitation plans are being provided and that the setting in which services are being provided is appropriate to the person's needs. The certifications shall be filed in the recipient's record.

g) Utilization review

1) A person residing in a Department mental health facility who is evaluated as being mildly or moderately mentally retarded, an attorney or advocate representing the person, or a guardian of such person may object to the facility director's certification required in subsection (f)(3), the treatment and habilitation plans, or the appropriateness or setting and request a utilization review as provided in Sections 3-207 and 4-209 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, pars. 3-207 and 4-209).

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2) Notice requirements

A) After evaluation

Within 24 hours of an evaluation as required in (f)(1), the mental health facility director shall give written notice to each person evaluated as being mildly or moderately mentally retarded, the person's attorney and guardian, if any, or in the case of a minor, to his/her attorney, to the parent, guardian or person in loco parentis and to the minor if he/she is 12 years of age or older, of his/her right to request a utilization review of the facility director's determination that such person is appropriately placed.

B) After certification

Within 24 hours of the certification(s) as required by subsection (f)(3), the mental health facility director shall give written notice to each person certified, the person's attorney and guardian, if any, or in the case of a minor, to his/her attorney, to the parent, guardian or person in loco parentis and to the minor if he/she is 12 years of age or older, of his/her right to request a utilization review of the facility director's determination that such person is appropriately placed or is receiving appropriate services.

C) Notice contents

All notices given pursuant to this subsection shall provide the address and telephone number of the Chicago office of the Legal Advocacy Service of the Guardianship and Advocacy Commission and the instructions that the person or his/her guardian may contact that office for assistance. Facility staff shall, if requested, assist the recipient or guardian in contacting the office. If the recipient's or guardian's primary language is not English, arrangements must be made to provide an adequate explanation in the person's primary language of the nature of the recipient's right to request review. If a staff member is available who is fluent in the language required, he or she should be requested to explain the notice to the recipient or guardian.

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3) The utilization review committee

The utilization review committee shall be appointed in accordance with Section 112.10(f), with the exception that the committee shall include as one of its members a qualified mental retardation professional as defined in subsection (d) of this Section. If all the qualified mental retardation professionals at the facility were involved in the decision on which the hearing will be held, the facility director may request that a qualified mental retardation professional from another facility be assigned to the committee for that hearing.

4) The utilization review hearing

The utilization review hearing shall be conducted in accordance with Section 112.10(g).

5) Standards

The following standards shall be used by the committee in reaching its decision:

A) Certification as mildly or moderately mentally retarded

Whether there is substantial evidence to support the diagnosis of an individual as mildly or moderately mentally retarded.

B) Receiving appropriate services

Whether there is substantial evidence to support the conclusion that the person is receiving services that are called for in his/her treatment and habilitation plans, and that those services are appropriate and necessary in accordance with the person's treatment and habilitation goals and objectives.

C) Appropriate setting

Whether there is substantial evidence that the person is placed in a setting (unit or facility) that is appropriate to meet the person's treatment and habilitation needs, and that the individual's service needs can be met at the unit or facility.

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6) The committee's finding of facts, conclusions and recommendations.

The committee's finding of facts, conclusions and recommendations shall be made in accordance with Section 112.10(i).

7) The facility director's decision

The facility director's decision shall be made in accordance with Section 112.10(j).

8) Review by the Associate Director for Clinical Services

Review of the facility director's decision by the Associate Director for Clinical Services shall be appealed and made in accordance with Section 112.10(k).

9) Final administrative decision

The decision of the facility director or the decision of the Associate Director for Clinical Services, if the Associate Director's review was requested, shall be considered a final administrative decision and shall be subject to review in accordance with the Administrative Review Law. (11. Rev. Stat., 1987, ch. 110, par. 3-101 et seq.)

(Source: Added at 13 Ill. Adm. Code _____, effective _____)

Section 112.30 Recipient physical and dental examinations and informed consent for services

To provide the highest possible quality of humane and rehabilitative care and treatment for all recipients in the care of the Department and to promote public health and safety, all recipients in Department facilities shall receive comprehensive physical and dental examinations.

a) Physical examination

1) Each person admitted to the Department in accordance with the Mental Health and Developmental Disabilities Code (11. Rev. Stat. 1987, ch. 91, par. 1-100 et seq.) shall have a thorough physical examination on admission and annually thereafter (11. Rev. Stat. 1987, ch. 91, par. 1-119(2)). In accordance with standards of the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), mentally

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all persons shall be examined within 24 hours (Consolidated Standards Manual, published by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), July 1, 1989 with no later editions or amendments) or Accreditation Manual for Hospitals (Joint Commission on the Accreditation of Healthcare Organizations (JCAHO), January 1, 1989 with no later editions or amendments). In accordance with 77 Ill. Adm. Code 350, Intermediate Care for the Developmentally Disabled Facilities Code (ICFDD), developmentally disabled persons shall be examined within 72 hours. This requirement may be waived in the judgment of the admitting physician only if such an examination was done within three days prior to admission and the results are received by the facility and are entered into the recipient's clinical record.

A) The examination shall include an evaluation of the recipient's condition, including height, weight, blood pressure and vital signs, diagnoses, plan of medical treatment, recommendations for care, including personal care needs, treatment orders, permission for participation in activity programs, as appropriate, and any other examinations that are required by the accrediting agencies cited in paragraph (1) above, as well as the Standards for Services for People with Developmental Disabilities, published by the Accreditation Council on Services for People with Developmental Disabilities (ACDD), 1987 with no later editions or amendments. Plans of medical treatment, recommendations for care and treatment orders shall be recorded in the recipient's individualized services plan as defined in Sections 3-209 and 4-309 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91½, pars. 3-209 and 4-309).

B) The presence or absence of communicable or infectious diseases shall be noted by the examining physician with recommendations given for curing or controlling the disease, as applicable. Communicable or infectious diseases shall be reported in accordance with Department of Public Health rules (77 Ill. Adm. Code 690, Control of Communicable Diseases Code, 77 Ill. Adm. Code 693, Control of Sexually Transmissible Diseases Code and 77 Ill. Adm. Code 697, AIDS Confidentiality and Testing Code).

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2) An electrocardiogram (EKG) shall be provided within three days of admission, excluding Saturdays, Sundays, and holidays, for any recipient age 40 or over, except that an admission EKG need not be repeated on readmission if one was provided within the previous 12 months during a prior admission, unless otherwise clinically indicated by the examining physician.

3) A Papanicolaou (Pap) smear uterine cytologic examination for cancer shall be offered to all female recipients admitted or readmitted to a Department facility who are 20 years of age and over, or under 20 years of age if sexually active, unless the examining physician considers the examination contraindicated, the examination has been performed within the previous year and the results were normal, or the examination is refused by the recipient on the counsel of the examining physician or on her own judgment. Results of tests performed outside the facility shall be obtained and entered into the recipient's clinical record. A Pap smear uterine cytologic examination shall be offered and recommended annually. The examining physician shall document in the recipient's clinical record the results of the Pap smear, whether or not the test was contraindicated, or that the recipient refused the examination.

4) In the event that the recipient's psychiatric, behavioral, or medical condition is such that the physical examination as described in subsection (a)(1)(A) cannot be completed within the times stated in paragraph (1) above, the examining physician may extend the time frame until the recipient's condition has improved to allow the completion of the examination. Every 72 hours the examining physician shall record in the recipient's clinical record the condition preventing a complete physical examination and the continuation of the recipient's condition until the physical examination has been completed.

b) Dental examination

Each person admitted to the Department in accordance with the Mental Health and Developmental Disabilities Code shall have a comprehensive diagnostic dental examination, including extra- and intra-oral examinations within 30 calendar days after admission, unless the admitting physician waives this requirement. The admitting physician shall record the reason for the waiver in the recipient's clinical record.

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A) The examination report shall include an evaluation of the recipient's dental condition, diagnoses, plan of treatment, recommendations for oral health care and dental hygiene, and treatment orders.

B) The physician may extend the time for conduct of the dental examination; however, the physician must record the reason for the extension in the recipient's clinical record.

c) Schedule for examinations and treatment plan

1) Physical examinations shall be repeated annually. In accordance with Section 7 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities", dental examinations shall be repeated every 18 months for mentally ill recipients while residing in Department facilities (Ill. Rev. Stat. 1987, ch. 91, par. 100-7). In accordance with the Standards for Services for People with Developmental Disabilities (Accreditation Council on Services for People with Developmental Disabilities, 1987, with no later editions or amendments), dental examinations shall be repeated annually for developmentally disabled recipients while residing in Department facilities. These examinations shall be performed by a licensed dentist or a registered hygienist and shall be independent of periodic reviews such as the use of medications, blood levels of drugs and gingivitis checks.

2) If a recipient has been in the facility or is transferred from another facility, the receiving facility shall perform comprehensive diagnostic examinations if the individualized services plan does not provide a treatment plan for medical and dental services for the recipient.

3) Upon completion of the comprehensive diagnostic examinations, a treatment plan for any medical and dental services shall be established as part of the recipient's individualized services plan.

A) Such a plan will include procedures to address the special dental care needs of recipients who receive medication known to promote tooth decay or gum disease.

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B) Such a plan will include a procedure to address the prevention and treatment of tardive dyskinesia.

d) Informed consent

Informed consent is defined as permission for a procedure freely granted by a person or persons authorized by law to give consent to services and treatment plans, i.e., the recipient, guardian (if the recipient is under guardianship) or parent (if the recipient is under age 18). Informed consent is based on the full disclosure to the authorized person of the information required to make the decision intelligently, including a description of the procedure, the possible benefits and the risks and the alternative(s) to the procedure.

1) For the purposes of this Section, the person(s) authorized to give consent shall be informed of the treatment plan for medical and dental services, and shall be provided with the information necessary to give informed consent. The documented agreement to the individualized services plan will obviate the need for specific agreement to the treatment plan for medical and dental services.

2) The person(s) authorized to give consent shall be informed of the method whereby he or she can exercise the right to refuse medical and dental services.

3) For services with no or minimal risks, such as those listed below, the person(s) authorized to give consent shall be informed that if an objection is not received within a specified time, consent shall be implied for the treatment plan:

A) Dental - preventive procedures (such as prophylaxis, topical fluoride, periodontal scaling, and gingival curettage,) and restorative procedures (such as fillings and local anesthesia).

B) Medical - non-psychotropic medication, endoscopy not involving anesthesia, exercise regimens and sutures.

4) A written consent, signed by the person authorized to give consent, shall be required for all other procedures including general anesthesia, surgery (both medical and dental) and radiation therapy. The written consent shall be specific to the procedure or course of therapy to be used and

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shall only apply to a particular procedure performed at a particular time or to a course of therapy of which the procedure is a part. An additional consent shall be obtained for each subsequent procedure. A consent authorizing a specific Department staff person to perform a procedure is specific to that staff person.

5) If consent is denied by the person authorized to consent, medical or dental procedures shall not be provided except pursuant to paragraph (6) below. Such refusal shall be documented in the recipient's medical record.

6) In accordance with Section 2-111 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91, par. 2-111), when a medical or dental emergency exists, if the physician or licensed dentist who examines the recipient determines that the recipient is not capable of giving informed consent, essential medical or dental procedures may be provided without consent. No physician nor licensed dentist shall be liable for a non-negligent good faith determination that a medical or dental emergency exists. The nature of the emergency shall be documented in the recipient's medical record and notice shall be given to the recipient, the legal guardian or parent(s).

e) Communicating examination findings

Significant or negative examination findings obtained from the recipient's physical examination results of laboratory tests as they become known shall be communicated to the recipient or, if the recipient is under guardianship, to the recipient's guardian, or if the recipient is a minor to the recipient's parent or guardian. The fact that such findings were communicated to the recipient, parent or guardian shall be documented in the recipient's medical record.

(Source: Added at _____, 13 Ill. Reg., effective _____)

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1) The Heading of the Part: AID TO FAMILIES WITH DEPENDENT CHILDREN

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Number: Proposed Action:
112.81 New Section

4) Statutory Authority: Section 9-6 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, par. 9-6)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking allows only those responsible relatives with no net income because of unemployment and who reside in Illinois and are not receiving General Assistance in the City of Chicago and who have children receiving AFDC in Illinois to be eligible for Project Chance services.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
112.40	Amendment	February 17, 1989 (13 Ill. Reg. 1948)
112.318	Amendment	March 31, 1989 (13 Ill. Reg. 4116)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams,

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Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building, 100 South Grand Avenue East, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

- 12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112
AID TO FAMILIES WITH DEPENDENT CHILDREN

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112.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

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112.8 Caretaker Relative
112.9 Client Cooperation
112.10 Citizenship
112.20 Residence
112.30 Age
112.40 Relationship
112.50 Living Arrangement
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112.54 Assignment of Medical Support Rights
112.60 Lack of Parental Support or Care
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SUBPART C: PROJECT CHANCE

112.70 Registration Requirements For Project Chance
112.71 Individuals Exempt From Project Chance
112.72 Project Chance Participation/Cooperation Requirements
112.73 Failure to Participate with the Work Incentive Demonstration Program (Renumbered)
112.74 Project Chance Full Assessment Process/Development of an Employment Plan
112.76 Project Chance Orientation
112.77 Illinois Work Experience Program Evaluation Project (Renumbered)
112.78 Project Chance Components
112.79 Project Chance Sanctions
112.80 Good Cause for Failure to Comply with Project Chance Participation Requirements

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Section
112.81 ~~Good-Cause-Per-Failure-to-Cooperate-With-Support~~
~~Enforcement-(reeditied)-Responsible Relative~~
Eligibility For Project Advance
112.82 Project Chance Supportive Services
112.83 Employment Child Care
112.84 Work Experience Evaluation Project
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112.86 Project Advance
112.87 Project Advance Experimental and Control Groups
112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: WORK SUPPLEMENTATION PROGRAM

Section
112.98 Work Supplementation Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

112.100 Unearned Income
112.101 Unearned Income of Stepparent, Parent or Legal Guardian
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision

112.107 Initial Receipt of Unearned Income
112.108 Termination of Unearned Income
112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
112.126 Earnmarked Income
112.127 Lump Sum Payments
112.128 Protected Income
112.130 Earned Income
112.131 Earned Income Tax Credit

Section
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112.134 Initial Employment
112.135 Budgeting Earned Income For Contractual Employees
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112.137 Termination of Employment
112.140 Exempt Earned Income
112.141 Earned Income Exemption
112.142 Exclusion From Earned Income Exemption
112.143 Recognized Employment Expenses
112.144 Income From Work/Study/Training Program
112.145 Earned Income From Self-Employment
112.146 Earned Income From Roomer and Boarder
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SUBPART H: PAYMENT AMOUNTS

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112.252 Payment Levels in AFDC Group I Counties
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Section
112.300 Persons Who May Be Included in the Assistance Unit
112.301 Presumptive Eligibility
112.302 Monthly Reporting
112.303 Restrospective Budgeting
112.304 Budgeting Schedule
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112.306 Foster Care Program
112.307 Responsibility of Sponsors of Aliens
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- 112.309 Institutional Status
 112.315 Young Parent Program
 112.320 Redetermination of Eligibility
 112.330 Six Month Extension of Medical Assistance Due to Increased Income from Employment
 112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 4-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 6, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 2, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981;

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peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill.

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Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 8 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 406, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 30, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889,

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effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 112.81

Good-Cause-Per-Failure-to-Cooperate-With
Support-Enforcement-(Recodified) Responsible
Relative Eligibility For Project Chance

Only a responsible relative with no net income because of unemployment and who resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving AFDC in Illinois shall be eligible for Project Chance services.

(Source: Recodified to 89 Ill. Adm. Code 160.35 at 10 Ill. Reg. 11928. New Section adopted at 13 Ill. Reg. _____, effective _____.)

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NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: CHILD SUPPORT ENFORCEMENT

2) Code Citation: 89 Ill. Adm. Code 160

3) Section Numbers: Proposed Action:

160.60

Amendment

160.70

Amendment

4) Statutory Authority: Section 9-6 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Par. 9-6)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking provides that if there is no net income because of the unemployment of a responsible relative who resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving AFDC in Illinois, the Department, when proceeding under the Administrative process, shall order, or, when proceeding under the judicial process, shall request the court to order the relative to report for participation in job search, training or work programs established for such relative under Section 9-6 of the Illinois Public Aid Code.

6) Will this proposed amendment replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable) (Ill. Rev. Stat. 1987, ch. 85, par. 2205): This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office the General Counsel, Illinois Department of Public Aid, Jessie B. Harris Building II, 100 South

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Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER f: COLLECTIONSPART 160
CHILD SUPPORT ENFORCEMENT

SUBPART A: CHILD SUPPORT ENFORCEMENT

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160.1 Incorporation By Reference
160.5 Definitions
160.10 Child Support Enforcement Program
160.20 Assignment of Rights to Support

SUBPART B: COOPERATION WITH CHILD SUPPORT ENFORCEMENT

Section
160.30 Cooperation With Support Enforcement Program
160.35 Good Cause For Failure to Cooperate With Support Enforcement
160.40 Proof of Good Cause For Failure to Cooperate With Support Enforcement
160.45 Suspension of Child Support Enforcement Upon Finding of Good Cause

SUBPART C: ESTABLISHMENT AND MODIFICATION OF
CHILD SUPPORT ORDERS

Section
160.60 Establishment and Modification of Support Obligations

SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

Section
160.70 Enforcement of Support Orders
160.75 Withholding of Income to Secure Payment of Support
160.80 Amnesty - 20% Charge

SUBPART E: EARMARKING CHILD SUPPORT PAYMENTS

Section
160.90 Earmarking Child Support Payments

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SUBPART F: DISTRIBUTION OF SUPPORT COLLECTIONS

Section
160.100 Distribution Of Child Support For AFDC Recipients
160.110 Distribution Of Child Support For Former AFDC Recipients Who Continue To Receive Child Support Enforcement Services
160.120 Distribution Of Child Support Collected While The Client Was An AFDC Recipient, But Not Yet Distributed At The Time The AFDC Case Is Cancelled
160.130 Distribution Of Intercepted Income Tax Refunds and Other State Payments

SUBPART G: STATEMENT OF CHILD SUPPORT ACCOUNT ACTIVITY

160.140 Statement Of Child Support Account Activity

SUBPART H: DEPARTMENT REVIEW OF DISTRIBUTION
OF CHILD SUPPORT

160.150 Department Review Of Distribution Of Child Support For AFDC Recipients
160.160 Department Review Of Distribution Of Child Support For Former AFDC Recipients

AUTHORITY: Implementing and authorized by Sections 4-1.7, 10-1 et seq., 12-4.3, and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 4-1.7, 10-1 et seq., 12-4.3 and 12-13).

SOURCE: Recodified from 89 Ill. Adm. Code 112.78 through 112.86 and 112.88 at 10 Ill. Reg. 11928; amended at 10 Ill. Reg. 19990, effective November 14, 1986; emergency amendment at 11 Ill. Reg. 4800, effective March 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9129, effective April 30, 1987; amended at 11 Ill. Reg. 15208, effective August 31, 1987; emergency amendment at 11 Ill. Reg. 1563, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 9065, effective May 16, 1988; amended at 12 Ill. Reg. 18185, effective November 4, 1988; emergency amendments at 12 Ill. Reg. 20835, effective December 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 22278, effective January 1, 1989; amended at 13 Ill. Reg. 4268, effective March 21, 1989; amended at 13 Ill. Reg. 7761, effective May 22, 1989; amended at 13 Ill. Reg. _____, effective _____.

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NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: ESTABLISHMENT AND MODIFICATION OF
CHILD SUPPORT ORDERSSection 160.60 Establishment and Modification of Support
Obligations

a) Definitions

1) "FSS" means any Family Support Specialist performing assigned duties, his supervisory staff and any other person assigned responsibility by the Director of the Department.

2) "Service" or "Served" means notice given by certified mail, return receipt requested, or by any method provided by law for service of summons. (See Sections 2-203 and 2-206 of the Civil Practice Law (Ill. Rev. Stat. 1985 1987, ch. 110, pars. 2-203 and 2-206)).

3) "Support Statutes" means the following:

- A) Article X of the Illinois Public Aid Code (Ill. Rev. Stat. 1985 1987, ch. 23, par. 10-1 through par. 10-19);
- B) The Illinois Marriage and Dissolution of Marriage Act (Ill. Rev. Stat. 1985 1987, ch. 40, par. 101 et seq.);
- C) The Non-Support of Spouse and Children Act (Ill. Rev. Stat. 1985 1987, ch. 40, par. 1101 et seq.);
- D) The Revised Uniform Reciprocal Enforcement of Support Act (Ill. Rev. Stat. 1985 1987, ch. 40, par. 1201 et seq.);
- E) The Paternity Act (Ill. Rev. Stat. 1985 1987, ch. 40, par. 1351 et seq.);
- F) The Illinois Parentage Act (Ill. Rev. Stat. 1985 1987, ch. 40, par. 2501 et seq.); and

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Obligations (Cont'd)

G) Any other statute in another state which provides for child and spouse support.

b) Responsible Relative Contact

1) Timing and Purpose of Contact

A) The Department shall contact and interview responsible relatives in Title IV-D cases to establish support obligations, following the IV-D client interview, and to modify existing support obligations:

i) whenever any change in financial circumstances of the relative becomes known through representations of the relative or of the IV-D client or from independent sources and such change would materially affect ability to support; or

ii) every three years, whichever occurs sooner.

B) The purpose of contact and interview shall be to obtain relevant facts including income information (e.g., paycheck stubs, income tax returns) necessary to determine the financial ability of such relatives for use in obtaining stipulated, consent and other court orders for support and in entering administrative support orders, pursuant to the support statutes.

2) At least 5 working days in advance of the interview, the Department shall notify each responsible relative contacted of his support obligation, by ordinary mail, which notice shall contain the following:

A) the Title IV-D case name and identification number;

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- B) the names and birthdates of the persons for whom support is sought or other information identifying such persons, such as a prior court number;
- C) that the responsible relative has a legal obligation to support the named persons;
- D) the date, time, place and purpose of the interview and that the responsible relative may be represented by counsel; and
- E) that the responsible relative should bring specified information regarding his income and resources to the interview.
- 3) The Department shall notify each Title IV-D client of the date, time and place of the responsible relative interview and that he may attend if he chooses.

c) Determination of Financial Ability

- 1) The Department shall use the guidelines set forth below to determine the financial ability of responsible relatives to provide support in Title IV-D cases.
- 2) The minimum amount of child support to be established shall be determined as follows:

Number of Children	Percent of Responsible Relative's Net Income
1	20%
2	25%
3	32%
4	40%
5	45%
6 or more	50%

- 3) The minimum amount of child and spouse support to be established shall be determined as follows:

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Number of Children	Percent of Responsible Relative's Net Income
1	30%
2	35%
3	45%
4	50%
5 or more	55%

- 4) "Net Income" is the total of all income from all sources, minus the following deductions:

- A) Federal income tax (properly calculated withholding or estimated payments);
- B) State income tax (properly calculated withholding or estimated payments);
- C) Social Security (FICA payments);
- D) Mandatory retirement contributions required by law or as a condition of employment;
- E) Union dues;
- F) Dependent and individual health/hospitalization insurance premiums;
- G) Prior obligations of support or maintenance actually paid pursuant to a court order or administrative support order;
- H) Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income;
- I) Medical expenditures necessary to preserve life or health; and
- J) Reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts.

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- 5) The deductions in subsections (4)(H), (I) and (J) above shall be allowed only for the period that such payments are due. The Department shall enter administrative, or request the court to enter, support orders which contain provisions for an automatic increase in the support obligation upon termination of such payment period.

- 6) The above guidelines shall be applied in each case unless the Department, after considering evidence presented on all relevant factors, finds a reason for deviating from the guidelines as follows:

A) For child support, relevant factors include, but are not limited to, the following:

- i) the financial resources and needs of the child;
- ii) the financial resources and needs of the custodial parent;
- iii) the standard of living the child would have enjoyed had the marriage not been dissolved, the separation not occurred or the parties married;
- iv) the physical and emotional condition of the child, and his educational needs; and
- v) the financial resources and needs of the non-custodial parent.

B) For child and spouse support, additional relevant factors include, but are not limited to, the following:

- i) the financial resources of the spouse seeking support, including marital property apportioned to him, and his

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ability to meet his needs independently, including the extent to which a provision for support of a child living with him includes a sum for him as custodian;

- ii) the time necessary to acquire sufficient education or training to enable the spouse seeking support to find appropriate employment;
- iii) the standard of living established during the marriage;
- iv) the duration of the marriage;
- v) the age and the physical and emotional condition of both parties;
- vi) the ability of the spouse from whom support is sought to meet his needs while meeting those of the spouse seeking support; and
- vii) the tax consequences of the property division upon the respective economic circumstances of the parties.

- C) Each order requiring support which deviates from the guidelines shall contain express findings of the reasons for the different amount.

- 7) In cases where health/hospitalization insurance coverage is not being furnished by the responsible relative to a child to be covered by a support order, the Department shall enter administrative, or request the court to enter support orders requiring the relative to provide such coverage when a child can be added to an existing insurance policy at reasonable cost. However, in Title IV-D non-AFPC cases where the client is neither an applicant for nor a recipient of Medical Assistance, the Department

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shall enter or request such support orders only with the client's consent. Net income shall be reduced by the cost thereof in determining the minimum amount of support to be ordered.

- 8) The final order in all cases shall state the support level in dollar amounts.
- 9) If there is no net income because of the unemployment of the a responsible relative who resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving AFDC in Illinois, the Department, when proceeding under subsection (d) below, shall order, or, when proceeding under subsection (e) below, shall request the court to order the relative to report for participation in job search, training or work programs established for such relatives under Section 9-6 of the Illinois Public Aid Code (Ill. Rev. Stat. 1985 1987, ch. 23, par. 9-67-as-amended-by-P.A. 85-1147-effective-July-23-1987).

d) Administrative Process

- 1) Use of Administrative Process
 - A) Department FSS's shall establish and modify support obligations of responsible relatives through the administrative process set forth in this subsection (d), in Title IV-D cases, wherein the court has not acquired jurisdiction previously, in matters involving:
 - i) presumed paternity as set forth in Section 5 of the Illinois Parentage Act (Ill. Rev. Stat. 1985 1987, ch. 40, par. 2505) and support is sought from one or both parents; and
 - ii) alleged paternity and support is sought from the mother.

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- B) In addition to those items specified in subsection (b)(2) above, the notice of support obligation shall inform the responsible relative of the following:
 - i) that he may be liable for reimbursement of public assistance furnished the named persons prior to determination of the ability to support; and
 - ii) that upon failure of the responsible relative to appear for the interview or to provide necessary information to determine net income, an administrative support order may be entered by default or the Department may seek court determination of financial ability based upon the guidelines.

- 2) The FSS shall determine the ability of each responsible relative to provide support in accordance with subsection (c) above when such relative appears in response to the notice of support obligation and provides necessary information to determine net income. An administrative support order shall be entered which shall incorporate the resulting support amount therein.

3) Failure to Appear

- A) In instances in which the responsible relative fails to appear in response to the notice of support obligation or fails to provide necessary information to determine net income, the FSS shall enter an administrative support order by default, except as provided in subsection (d)(3)(C) below. The terms of the order shall be based upon the needs of the persons for whom support is sought, as furnished by affidavit of the IV-D client. No default order shall be entered when a responsible relative fails to appear at the interview unless the

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relative shall have been served with a notice of support obligation.

B) The FSS shall issue a subpoena to a responsible relative who fails to appear for interview, or who appears and furnishes income information, when the FSS has information from the Title IV-D client, the relative's employee or any other reliable source indicating that:

i) financial ability, as determined from the guidelines contained in subsection c) above, exceeds the amount indicated in case of default, as indicated in subsection (d)(3)(A) above, or

ii) income exceeds that reported by the relative.

C) In instances in which the relative fails or refuses to accept or fully respond to a Department subpoena issued to him pursuant to subsection (d)(3)(B) above, the FSS shall enter a temporary administrative support order by default, in accordance with subsection (d)(3)(A) above, and shall then seek establishment or modification of support obligations through the judicial process pursuant to subsection (e) below.

4) Registration of Order

A) The FSS shall register a support order entered by a court or administrative body of any other state referred for establishment and enforcement of an Illinois support obligation, on behalf of persons receiving Title IV-D services from such state, upon receipt of the following:

i) the referring state's IV-D case name and identification number;

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ii) the names and birthdates of the persons for whom support is ordered;

iii) a certified copy of the support order with all modifications;

iv) a certified copy of an order for withholding, if any, still in effect;

v) a certified copy of the payment record or, if there is no payment record, an affidavit attesting to the amount of arrearage which has accrued under the support order;

vi) the name, address, and social security number of the responsible relative; and

vii) the name and address of the responsible relative's employer or any other source of income of the relative from which withholding may be effected, if known.

B) When registered such order shall become an administrative support order of the Department. The FSS shall enter a separate administrative support order of the Department which shall contain the terms of the registered order.

5) An administrative support order shall include the following:

A) the Title IV-D case name and identification number;

B) the names and birthdates of the persons for whom support is ordered;

C) the beginning date, amount and frequency of support;

D) the manner in which support payments are to be made; and

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- E) a statement informing the responsible relative that he has 30 days from the date of mailing of the administrative support order in which to petition the Department for a release from or modification of the order and receive a hearing in accordance with 89 Ill. Adm. Code 104.102.
- 6) Upon entry of any administrative support order, the FSS shall enter a separate administrative order for withholding, based upon and in the same manner as prescribed in Section 160.75. The order shall inform the responsible relative of the grounds for a petition and the time within which to petition the Department to stay service of or to modify, suspend or terminate the order for withholding, or to stay service of the notice of delinquency and receive a hearing in accordance with 89 Ill. Adm. Code 104.104.
- 7) The FSS shall provide to each responsible relative a copy of each administrative order for support and for withholding entered by:
- A) delivery at the conclusion of an interview where financial ability to support was determined. An acknowledgement of receipt signed by the relative or an affidavit of delivery signed by the FSS shall be sufficient for purposes of notice.
 - B) certified mail where the relative fails or refuses to accept delivery or the orders are entered by default.
 - C) service in the case of registration of the support orders of another state. A copy of such state's orders shall be served with those of the Department.
- 8) The FSS shall provide to each Title IV-D client a copy of each administrative order for support and for withholding entered.

e) Judicial Process

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- 1) Department FSS's shall refer Title IV-D cases for court action to establish and modify support obligations of responsible relatives, pursuant to the support statutes (See subsection (a)(3) above) in matters requiring the determination of parentage, in those wherein the court has acquired jurisdiction previously and in instances described in subsection (d)(3)(C) above.
- 2) The FSS shall prepare and transmit pleadings and obtain or affix appropriate signature thereto which pleadings shall include, but not be limited to, petitions to:
- A) intervene;
 - B) modify;
 - C) change payment path;
 - D) establish an order for support;
 - E) establish retroactive support;
 - F) establish past-due support;
 - G) obtain an order for withholding;
 - H) establish parentage;
 - I) obtain a rule to show cause; and
 - J) combinations of the above.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

Section 160.70 Enforcement of Support Orders

a) Definitions

The definitions contained in Section 160.60(a) are incorporated herein by reference.

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ii) in IV-D Non-AFDC cases, past-due support owed to or for a minor child in an amount not less than \$500.

B) the Comptroller to intercept State income tax refunds and other State payments as follows:

i) in active IV-D cases, past-due support owed in an amount not less than one month's support obligation or \$150, whichever is less; and

ii) in inactive IV-D AFDC and IV-D foster care cases, past due support owed in any amount.

iii) In cases in which the responsible relative who owes past-due support is receiving periodic payments from this State because of employment, disability, retirement or any other reason, the Department shall, upon obtaining knowledge of such circumstances, refund any amounts inadvertently intercepted to the responsible relative and proceed to collect past-due support pursuant to the income withholding provisions of the support statutes.

3) The Department shall provide the responsible relative with a notice prior to submitting a past-due support amount for intercept, which advance notice shall inform the responsible relative of the following:

- A) the IV-D case name and identification number;
- B) the past-due support amount which will be submitted for intercept;
- C) the right to contest the determination that past-due support is owed or the amount of past-due support by requesting:

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i) a redetermination by the Department or, after such redetermination,

ii) an administrative review by any other state in which the support order was issued upon which the referral for federal income tax refund intercept is based, at the request of the responsible relative; and

D) that the Internal Revenue Service will notify the responsible relative's spouse at the time of intercept regarding the steps to take to protect the share of the refund which may be payable to that spouse, in the case of a joint federal income tax return.

4) A request for a redetermination made within 30 days from the date of mailing of the advance notice shall stay the Department from submitting the past-due amount.

5) No later than 120 days after the date the redetermination was requested, the Department shall provide the responsible relative with a notice of the results of the redetermination and of the right to contest such results by requesting:

- A) a hearing by the Department within 30 days from the date of mailing of the notice; or
- B) an administrative review by any other state in which the support order was issued upon which the referral for federal income tax refund intercept is based.

6) If a responsible relative requests administrative review by the state in which the support order was issued upon which the referral for federal income tax refund intercept is based, the Department shall notify the state with the order of the request and shall provide that state with all necessary information within 10 days of the responsible relative's request. The Department

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shall be bound by the decision of the state with the order,

- 7) The Department shall proceed in accordance with 89 Ill. Adm. Code 104.103 upon receipt of a request for a hearing.
- 8) The Department shall notify:
 - A) any other state enforcing the support order when the request for intercept is submitted and when the intercept amount is received;
 - B) the Department of Health and Human Services of any deletion of an amount submitted for federal income tax refund intercept, in accordance with federal instructions;
 - C) the Comptroller of any deletion of an amount submitted for State income tax refund or other payment intercept or any significant decrease in the amount; and
 - D) the Clerk of Circuit Court of the county in which the child support order was entered of any amount intercepted for posting to the court payment record.

9) The Department shall:

- A) as promptly as possible refund to the responsible relative any amount intercepted found to exceed the amount of past-due support owed; and
- B) equitably apportion joint State income tax refunds and other State payments based upon copies of federal and State income tax returns, including all schedules and attachments, or other evidence of ownership, such equitable apportionment to be based on the documented proportionate net income of the parties, and pay to the joint payee that portion of the amount intercepted found to be his; except that the Comptroller shall

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apportion such refunds and payments in matters where the intercepted funds have not yet been transferred to the Department.

- 10) The Department shall as promptly as possible apply collections it receives as a result of intercept under this subsection only against the past-due support amount specified in the advance notice provided the responsible relative pursuant to subsection (c)(3) above and shall promptly apply:
 - A) federal income tax refunds first to satisfy any IV-D AFDC or IV-D foster care assigned past-due support and then to satisfy any IV-D Non-AFDC past-due support; and
 - B) State income tax refunds and other State payments to satisfy any active IV-D AFDC and IV-D foster care assigned past-due support, or first to satisfy active IV-D Non-AFDC past-due support and then to satisfy any IV-D AFDC and IV-D foster care assigned past-due support.
- 11) The Department shall inform individuals who receive IV-D Non-AFDC support enforcement services, in advance, of the following:
 - A) amounts intercepted under this subsection will be applied in accordance with subsection (c)(9) above;
 - B) any payment received by the IV-D Non-AFDC individual as a result of federal income tax refund intercept may have to be returned to the Department within six years following the end of the tax year if there is an adjustment necessitated by the responsible relative's spouse filing an amended tax return in order to receive his share of a joint tax refund.

d) Unemployment Insurance Benefits

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- 1) The Department shall collect support owed by responsible relatives in IV-D cases through intercept of unemployment insurance benefits in matters wherein the relative has accumulated a past-due support amount equal to a one month support obligation.
- 2) The Department shall take the following action:
 - A) ascertain that the responsible relative qualifies for receipt of unemployment insurance benefits through access to the Department of Employment Security's (DES) computer file.
 - B) contact the relative to obtain an agreement for deduction of benefits for payment of support.
 - C) initiate procedures for withholding of income in accordance with Section 160.75 in cases wherein the relative fails or refuses to agree to benefit deduction.
 - D) establish the amount to be deducted by data entry to DES's computer file, which amount shall be the lesser of:
 - i) the amount of the income withholding order; or
 - ii) the amount of the child dependent's allowance, whether or not claimed.
 - E) receive amounts deducted direct from DES.
 - F) notify the Clerk of the Circuit Court of the county in which the child support order is registered of each collection for posting to the court payment record.
 - G) post each collection to the Department's payment record.
 - H) apply each collection to the current support obligation, then to past-due obligations.

- I) provide a redetermination within 180 days from the date of request for redetermination to each relative who disputes the deduction and, where indicated, make adjustments and refund improperly deducted amounts.
- 3) The Department of Employment Security shall take the following action:
 - A) provide notice to the responsible relative and an opportunity to be heard, when the Department cannot resolve the dispute.
 - B) pay all amounts deducted direct to the Department.
- e) Contempt of Court and Other Legal Proceedings
 - 1) The Department shall refer IV-D cases to its legal representatives to initiate contempt of court and other legal proceedings, pursuant to the applicable provisions of the support statutes, for enforcement of orders for support in matters wherein the responsible relative has accumulated a past-due support amount equal to not less than a one month support obligation; except as set forth in subsection (2) below.
 - 2) Contempt proceedings shall not be used in the following instances:
 - A) the responsible relative has no known available income or assets from which to satisfy the support obligation and is:
 - i) receiving public assistance;
 - ii) mentally or physically disabled;
 - iii) incarcerated;
 - iv) out-of-the-country;
 - v) deceased; or

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vi) otherwise situated making such action unproductive.

B) other legal or administrative remedies are more appropriate under the circumstances.

3) Contempt and other legal proceedings shall be used to:

- A) establish the amount of past-due support;
 - B) obtain a judgment for purposes of:
 - i) imposition of a lien against real estate,
 - ii) levy upon real estate and personal property, or
 - iii) registration in another state;
 - C) secure an order for lump sum or periodic payment of the past-due support or judgment;
 - D) require the responsible relative to post security, bond or give some other guarantee of a character and amount sufficient to assure payment of any amount due under the support order;
 - E) obtain full or partial payment of past due support through incarceration;
 - F) ascertain the responsible relative's source and amount of income or location and value of assets;
 - G) secure other enforcement relief; and
 - H) obtain any combination of the above.
- 4) During the course of contempt or other legal proceedings to enforce support, if it shall appear that there is no net income because of the unemployment of the a responsible relative, who

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resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving AFDC in Illinois, the Department shall request the court to order the relative to report for participation in job search, training or work programs established for such relatives under Section 9-6 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, par. 9-6).

f) Liens Against Real Estate and Personal Property

- 1) The Department shall seek judgment liens against real estate and enforce judgments upon the real estate and personal property of responsible relatives, in IV-D cases in which a referral has been made to initiate court enforcement of an order for support, in accordance with Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1987, ch. 110, par. 12-101 et seq.).
- 2) A petition for a rule to show cause or other petition filed by a Department legal representative to enforce an order for support shall contain a prayer that judgment be entered against the responsible relative in the amount of the past-due support alleged in the petition, when both of the following circumstances exist:
 - A) the past-due amount equals one year's support obligation under the order for support or \$2,000, whichever is less; and
 - B) the responsible relative has an interest in real estate or personal property against which the judgment may be enforced.
- 3) Upon obtaining a judgment, Department legal representatives shall secure liens against the real estate of responsible relatives by filing a transcript, certified copy, or memorandum of judgment in the county wherein the real estate is located, in accordance with law (see Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1987, ch. 110, pars. 12-101 et seq.)).

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- 4) A judgment shall be enforced by levy upon the real estate and personal property of the responsible relative in accordance with law (see Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1987, ch. 110, pars. 12-101 et seq.)) when the relative has a known equity which is not less than \$2,000 in excess of any statutory exemption.

g) Security, Bond or Other Guarantee of Payment

- 1) Except as provided in subsections (2) and (3) below, the Department shall require, or through its legal representative shall request the court to require, a responsible relative to post security, bond, or give some other guarantee of a character and amount sufficient to assure payment of any amount due under a support order in IV-D cases, pursuant to Section 10-17.4 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, par. 10-17.4).

- 2) In cases in which the support obligation is established through the administrative process contained in Section 160.60, the notice of support obligation provided to the responsible relative shall indicate that the Department may require the relative to post security, bond or give some other guarantee of payment. Except where the responsible relative is subject to income withholding, the administrative support order shall contain this requirement in an amount equal to a one year support obligation.

- 3) In acting upon a referral to establish a support obligation or to enforce an existing order for support, Department legal representatives shall include in the complaint or petition a prayer for an order requiring the responsible relative to post security, bond, or give some other guarantee of payment equal to a one year support obligation, unless the relative is subject to the income withholding provisions of the support statutes.

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h) Past-Due Support Information to Consumer Reporting Agencies

- 1) The Department shall, upon request of consumer reporting agencies, provide the following information concerning the payment records of responsible relatives in IV-D cases to such agencies when the amount of past-due support exceeds \$1,000:

A) the name, last known address and Social Security Number of the responsible relative; and

B) the terms and amount of past-due support which has accumulated under the order for support.

- 2) The Department shall provide the responsible relative with a notice at least 30 days prior to furnishing past-due support information to consumer reporting agencies, which advance notice shall inform the relative of the following:

A) the IV-D case name and identification number;

B) the past-due support amount which will be reported;

C) the date past-due support will be reported; and

D) the right to prevent reporting by payment of the past-due support amount in full or to contest the determination that past-due support is owed or the amount of past-due support by requesting a redetermination by the Department.

- 3) The Department shall provide the responsible relative with notice of the results of the redetermination and the right to prevent reporting by payment in full of the past-due support found to be owed or to contest the results of the redetermination by requesting a

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hearing within 30 days from the date of mailing
of the notice.

4) The Department shall proceed in accordance with
89 Ill. Adm. Code 104.103 upon receipt of a
request for a hearing.

5) The Department shall be stayed from providing
information to consumer reporting agencies by
either of the following:

- A) a request for
- i) a redetermination, or
 - ii) a hearing contesting the determination
that past-due support is owed or the
amount of past-due support; or
- B) payment in full of the amount of the
past-due support stated in the
- i) advance notice, or
 - ii) notice of redetermination or hearing
results.
- 6) The Department shall advise consumer reporting
agencies of changes in the amount of past-due
support found to be owed as a result of a
redetermination or hearing conducted after report
to such agencies.

i) Other Remedies

The Department shall pursue any other remedies
provided for by law to enforce and collect past-due
support owed by responsible relatives in IV-D cases.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part:
Field Sanitation Rules

2) Code Citation:
77 Ill. Adm. Code 910

3) Section Numbers:

910.5
910.10
910.15
910.20
910.30
910.40
910.50
910.60
910.70
910.80

Proposed Action:

Amendments
Amendments
Amendments
Amendments
Amendments
Amendments
Amendments
Amendments

4) Statutory Authority:

Field Sanitation Act
Ill. Rev. Stat. 1987, ch. 111 1/2, par. 5901 et seq.

5) A Complete Description of the Subjects and Issues Involved:

The Department's Field Sanitation rules establish the technical
requirements that farmers must meet in providing sanitary facilities for
their workers.

The changes are proposed to reflect changes made by amendments to of the
Field Sanitation Act. Specifically, the location of the required
facilities and the type of handwashing facilities are revised. In
addition, minor editorial changes are also proposed.

Since all the changes proposed are already required by the state law, the
proposed amendments will have no effect on the public. Likewise, there
will be no economic impact for implementing the proposed changes.

It is anticipated that the rules will be adopted within 6 to 8 months of
the publication of these proposed amendments in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes _____ No X

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7) Does this Rulemaking Contain an Automatic Repeal Date? Yes ☐ No ☒
If "yes," please specify the date: _____

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes ☐ No ☒

If "yes," please specify type: 6.02(a) ☐ or 6.02(b) ☐

9) Are there any other Proposed Amendments Pending on this Part?

Yes ☐ No ☒

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
-----------------	-----------------	--------------------

10) Statement of Statewide Policy Objectives:

The proposed amendments should not expand or contract a state mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Mr. Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

May 16, 1989

B) Type of Small Businesses Affected:

Farm operations including nurseries are regulated by these rules.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

These are no administrative requirements proposed.

D) Types of Professional Skills Necessary for Compliance:

There are no professional skills required for compliance.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER I: WATER AND SEWAGE

PART 910

FIELD SANITATION RULES

SECTION	CODE
910.5	Applicability
910.10	Definitions
910.15	Incorporated Materials
910.20	Design of Toilet Facilities
910.30	Handwashing Facilities
910.40	Drinking Water Facilities
910.50	Number of Fixtures Required
910.60	Location of Toilets, Handwashing and Drinking Facilities
910.70	Sewage Disposal
910.80	Refuse Disposal

AUTHORITY: Implementing and authorized by the Field Sanitation Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 5901 et seq.).

SOURCE: Adopted at 10 Ill. Reg. 5128, effective April 7, 1986; amended at 13 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 910.5 Applicability

~~The rules of this Part are promulgated by the Illinois Department of Public Health to implement the "Field Sanitation Act" (Act) (Ill. Rev. Stat. 1983/1987, ch. 111 1/2, par. 5901 et seq.). The Act and this Field Sanitation Code sets forth the sanitary conditions for "EVERY FARM OPERATION ON WHICH ARE EMPLOYED...WHEN TEN OR MORE AGRICULTURAL WORKERS ARE EMPLOYED FOR A PERIOD OF MORE THAN TWO HOURS DURING ANY DAY". (Ill. Rev. Stat. 1983, ch. 111 1/2, par. 5904) (Section 4 of the Act).~~ These sanitary conditions include requirements for toilet, drinking water and handwashing facilities for agricultural workers.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 910.10 Definitions

~~In addition to the definitions in Section 2 of the Act (Ill. Rev. Stat.~~

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~~1983, ch. 111 1/2, par. 5902), & the following definitions apply to the rules of this Part:~~

"Act" means the Field Sanitation Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 5901 et seq.).

"AGRICULTURAL WORKER" AND "WORKER" MEAN ANY INDIVIDUAL WHO IS ENGAGED IN EMPLOYMENT INVOLVING THE HARVESTING, PLANTING OR CULTIVATING OF FOOD OR NURSERY PRODUCTS BY MANUAL LABOR. THE TERM AGRICULTURAL WORKER DOES NOT INCLUDE INDIVIDUALS WHOSE PRINCIPAL OCCUPATION IS NOT AGRICULTURAL EMPLOYMENT, UNLESS SUCH INDIVIDUALS ARE REQUIRED TO BE AWAY FROM THEIR PERMANENT PLACE OF RESIDENCE OVERNIGHT. (Section 2(b) of the Act)

"Chemical Toilet" means a toilet facility in which human waste is collected in a container charged with a chemical, either dry or in solution.

"Community Water System" means a public water system which serves at least 15 service connections used by residents or regularly serves at least 25 residents for at least 60 days a year.

"DEPARTMENT" REFERS TO THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH. (Section 2(d) of the Act.)

"FARM OPERATION" MEANS ACTIVITIES RELATING TO PLANTING, CULTIVATING OR HARVESTING OF FOOD OR NURSERY PRODUCTS. (Section 2(c) of the Act.)

"FARM OPERATOR" MEANS ANY PERSON, OR ANY OFFICER OR AGENT ACTING ON BEHALF OF SUCH PERSON, WHO IS THE OWNER IN POSSESSION, OR LESSEE, OF A FARMING OPERATION, OR WHO IS RESPONSIBLE FOR ITS MANAGEMENT CONDITION, OR IS THE EMPLOYER OF AGRICULTURAL WORKERS. (Section 2(a) of the Act)

"Group" means the individuals working within a circular area having a radius of 880 feet.

"Handwashing Facility" means a fixture for washing the hands, arms, face and head, including lavatories, basins and sinks.

"Non-Community Water System" means a public water system that is not a community water system, that has at least 15 service connections used by non-residents, or regularly serves 25 or more non-resident individuals daily for at least 60 days a year.

"PERSON" INCLUDES ANY INDIVIDUAL, PARTNERSHIP, ASSOCIATION, JOINT STOCK COMPANY, TRUST, OR CORPORATION. (Section 2(e) of the Act.)

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"Public Water System" means a system for the provision to the public of piped water for human consumption, if the system has at least 15 service connections or regularly serves an average of at least 15 individuals daily at least 60 days per year. The term Public Water System includes any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

"Toilet Facility" means a fixture for the purpose of defecation or urination, or both, including water closets, privies and biological or chemical toilets.

"Workers-Place-of-Work"-means-the-field-in-which-a-worker-performs assigned-tasks---A-field-is-a-section-of-agricultural-land-between natural-or-man-made-boundaries-such-as-streams,-hedges,-fences-and roads-

(Source: Amended by 13 Ill. Reg. _____, effective _____)

Section 910.15 Incorporated Materials

The following statutes and regulations are incorporated or referenced in this Part:

- a) Private Sewage Disposal Code
(77 Ill. Adm. Code 905)
Illinois Department of Public Health
- b) Illinois Plumbing Code
(77 Ill. Adm. Code 890)
Illinois Department of Public Health
- c) Illinois Water Well Pump Installation Code
(77 Ill. Adm. Code 925)
Illinois Department of Public Health
- d) Surface Source Water Treatment Code
(77 Ill. Adm. Code 930)
Illinois Department of Public Health
- e) Illinois Water Well Construction Code
(77 Ill. Adm. Code 920)
Illinois Department of Public Health
- f) Drinking Water Systems Code

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(77 Ill. Adm. Code 900)
Illinois Department of Public Health

- g) Public Water Supplies
(35 Ill. Adm. Code 601, 602, 603, 604,
605, 606, 607, 651, 652, 653, and 654)
Illinois Environmental Protection Agency
- h) Environmental Protection Act
(111. Rev. Stat. 19831987, ch. 111 1/2, par. 1001 et seq.)
(Source: Amended by 13 Ill. Reg. _____, effective _____)

Section 910.20 Design of Toilet Facilities

- a) Toilet facilities shall be designed, constructed and maintained in accordance with the Private Sewage Disposal Code (77 Ill. Adm. Code 905), and the Illinois Plumbing Code (77 Ill. Adm. Code 890).
- b) Toilet facilities may be either permanently located or portable.
- c) Toilet facilities must be designed to provide privacy and be capable of being locked from inside the unit.
- d) Steps at least 30 inches in width shall be required if the floor elevation of the required facilities is more than 8 inches above ground level. The rise of the steps shall be uniform and shall not exceed 8 inches. A handrail shall be provided on at least one side of all sets of steps if the difference between the floor elevation of the required facilities and the ground elevation is greater than 24 inches.
- e) All toilet rooms must be vented, either by mechanical means or by screened ventilation to the outside.
- f) All facilities shall be kept clean and free from deterioration or structural damage. Floors, walls, ceilings and doors shall be of a finish such as painted wood, plastic, concrete or metal so that they can be cleaned through the use of wet cleaning techniques. such-as painted-wood,-plastic,-concrete-or-metal- Toilet seats shall be constructed of non-absorbent material such-as-painted-wood-or plastic.
- g) Toilet paper must be provided at all times.
- h) If the facilities that are provided have signs or instructions, then the signs or instructions shall be in English and Spanish. If the

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majority of the workers using the facilities do not speak English or Spanish, then the language spoken by the majority of the workers shall be used.

(Source: Amended by 13 Ill. Reg. _____, effective _____)

Section 910.30 Handwashing Facilities

a) At least one of the following shall be provided for handwashing facilities:

- 1) A minimum of one (1) gallon per day per worker of potable water which discharges to a handwashing fixture and with liquid or powdered cleaning agents for each handwashing fixture, or
- 2) Antiseptic hand wipes or antiseptic sprays.

HANDWASHING FACILITIES SHALL INCLUDE A SUPPLY OF POTABLE WATER, SOAP, AND DISPOSABLE TOWELS OR EQUIVALENT DRYING MEANS such as, electric hand dryers. (Section 6 of the Act)

b) Disposable hand towels with covered receptacles for their disposal, clean cloth towels with dispensers, or electric hand dryers shall be provided. A minimum of one (1) gallon per day per worker of potable water shall be provided for handwashing.

c) Containers of water used for handwashing shall be labeled in English and Spanish "Not Drinking Water".

d) The soap shall be either liquid or powder.

(Source: Amended by 13 Ill. Reg. _____, effective _____)

Section 910.40 Drinking Water Facilities

POTABLE DRINKING WATER SHALL BE PROVIDED IN COVERED CONTAINERS WITH EITHER DRINKING FOUNTAIN ATTACHMENTS OR WITH INDIVIDUAL SANITARY DRINKING CUPS PROVIDED. (Section 7 of the Act)

a) Water suitable for drinking, at a volume of one (1) gallon per day per worker must be provided for drinking purposes and shall be obtained from one of the following sources:

- 1) A community public water system constructed, operated and sampled in accordance with the Illinois Environmental Protection Agency's rules for Public Water Supplies (35 Ill. Adm. Code 601, 602, 603, 604, 605, 606, 607, 651, 652, 653, and 654).

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2) A non-community public water system constructed, operated and sampled in accordance with the Department's rules for Drinking Water Systems Code (77 Ill. Adm. Code 900).

3) A water well constructed, located and operated in accordance with the Department's Illinois Water Well Construction Code (77 Ill. Adm. Code 920) and the Department's Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925).

4) A surface water system constructed and operated in compliance with the Department's Surface Source Water Treatment Code (77 Ill. Adm. Code 930).

b) Where water suitable for drinking from a source specified in subsection (a) is not available, water shall be hauled as prescribed by 77 Ill. Adm. Code 900.30(o) of the Department's rules for Drinking Water Systems Code (77 Ill. Adm. Code 900).

c) The quality of all drinking water must meet the standards of the rules for Drinking Water Systems Code (77 Ill. Adm. Code 900).

d) Containers provided for the storage of drinking water shall be tightly covered and protected from external sources of contamination and capable of being cleaned.

e) Common drinking cups are prohibited. If a drinking fountain is not provided, disposable single-service cups shall be provided with a sanitary container for cup storage and a covered receptacle for the disposal of used cups.

f) All containers used for the storage of drinking water shall be specifically identified for that purpose and must be used exclusively for drinking water.

g) The temperature of drinking water shall not exceed 860 degrees Fahrenheit

h) All receptacles containing water not suitable for drinking shall be marked to indicate that the water cannot be used for handwashing or drinking purposes.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 910.50 Number of Fixtures Required

a) At least one toilet must be provided for every 35 workers or fraction

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thereof. If workers of both sexes are present, then at least one of the required toilets shall be in a separate room.

AGENCY NOTE: Solid waste disposal sites are approved by the Illinois Environmental Protection Agency according to the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1001 et seq.).

- b) if water is used for handwashing facilities, at least one handwashing facility shall be provided for every 35 workers or fraction thereof.

(Source: Amended by 13 Ill. Reg. _____, effective _____)

Section 910.60 Location of Toilets, Handwashing and Drinking Facilities

TOILET, HANDWASHING AND DRINKING WATER FACILITIES SHALL BE LOCATED WITHIN 1/4 OF A MILE FROM ANY WORKER. (Section 9 of the Act)

- a) For a group of less than 10 workers, toilet facilities with adjacent handwashing facilities and drinking facilities shall be provided within 2640 feet of the worker's place of work if transportation is not provided for the workers at all times. If transportation is provided at all times, the facilities must be located within a distance that can be traveled within the posted speed limits from the worker's place of work to the facilities within five (5) minutes.

- b) For a group of 10 or more workers, toilet facilities and adjacent handwashing facilities and drinking facilities shall be located within 980 feet of the worker's place of work.

(Source: Amended at 12 Ill. Reg. _____, effective _____)

Section 910.70 Sewage Disposal

All sewage including human fecal material and urine shall discharge into a sewage disposal system approved by the Illinois Environmental Protection Agency or into a private sewage disposal system constructed and maintained in accordance with the Private Sewage Disposal Code (77 Ill. Adm. Code 905). Private sewage disposal systems shall be maintained as specified in the Private Sewage Disposal Code.

(Source: Amended by 13 Ill. Reg. _____, effective _____)

Section 910.80 Refuse Disposal

All refuse shall be kept in watertight, fly-proof, metal or durable plastic containers. All refuse and garbage shall be removed from work areas at least weekly and disposed at a solid waste disposal site.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS1) Heading of Part:

Intermediate Care for the Developmentally Disabled Facilities Code

2) Code Citation:

77 Ill. Adm. Code 350

3) Section Numbers:350.680
350.685Proposed Action:Repeal, New Section
New Section4) Statutory Authority:

Nursing Home Care Act [Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4151-101 et seq., as amended by Public Act 85-968 (Senate Bill 1322), effective December 9, 1987, Public Act 85-1183 (House Bill 4172), effective August 13, 1988, and Public Act 85-1378 (Senate Bill 2201), effective September 1, 1988]

5) A Complete Description of the Subjects and Issues Involved:

These proposed amendments are part of an effort by the Department of Public Health to consolidate its rules concerning training programs for nursing assistants and aides in long-term care facilities. The consolidated requirements will be contained in a new Part 395. This consolidation of the training program rules in Part 395 should facilitate public understanding of the requirements for nursing assistant training programs. The provisions of this new Part 395 were published as proposed rules in the Illinois Register on December 2, 1988, at 12 Ill. Reg. 19927.

These proposed amendments to Part 350, which governs the licensure of intermediate care facilities for the developmentally disabled, eliminate the provisions which will be included in Part 395. Most of the current text of Section 350.680 is being replaced and relocated into the new Part 395. The remaining provisions of Section 350.680 are limited to the facilities' responsibility to insure that employed aides are qualified and have completed the required training. The provisions which concern the use of student interns are being incorporated into a new Section 350.685. No major substantive changes are being made in the actual content of these rules. Similar amendments to Parts 300, 330, and 390, which govern the licensure of other types of long-term care facilities, are also being proposed in this issue of the Illinois Register.

These proposed changes were also included in a set of proposed amendments which were published in the Illinois Register on December 23, 1988, at 12

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Ill. Reg. 21621. The changes related to aide training programs were withdrawn from that set of proposed amendments prior to its adoption. That set of proposed amendments was published in the Illinois Register as adopted on April 28, 1989, at 13 Ill. Reg. 6040.

The Department believes that there will be little, if any, economic effect of these proposed amendments on the regulated public. The Department anticipates that the amendments will be adopted within the next three to four months.

6) Will these Proposed Amendments Replace an Emergency Rule Currently in Effect? No.7) Does this Rulemaking contain an Automatic Repeal Date? No.8) Do these Proposed Amendments Contain Incorporations By Reference? No.9) Are there any other Proposed Amendments Pending on this Part? No.10) Statement of Statewide Policy Objectives:

This rulemaking neither creates nor expands a state mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Proposed Rulemaking:

Interested persons may present their comments concerning these rules by writing to Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, within 45 days after this edition of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:A) Date Rule was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

May 16, 1989

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B) Type of Small Businesses Affected:

Long-term care facilities which are totally or partially licensed as intermediate care facilities for the developmentally disabled.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

No additional reporting, bookkeeping or other procedures are required for compliance.

D) Types of Professional Skills Necessary for Compliance:

No additional professional skills are necessary for compliance.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 350

INTERMEDIATE CARE FOR THE DEVELOPMENTALLY DISABLED FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	
350.110	General Requirements
350.120	Application for License
350.130	Licensee
350.140	Issuance of an Initial License for a New Facility
350.150	Issuance of an Initial License Due to a Change of Ownership
350.160	Issuance of a Renewal License
350.165	Criteria for Adverse License Actions
350.170	Denial of Initial License
350.175	Denial of Renewal of License
350.180	Revocation of License
350.190	Experimental Program Conflicting With Requirements
350.200	Inspections, Surveys, Evaluations and Consultation
350.210	Filing an Annual Attested Financial Statement
350.220	Information to Be Made Available to the Public By the Department
350.230	Information to Be Made Available to the Public By the Licensee
350.240	Municipal Licensing
350.250	Ownership Disclosure
350.260	Issuance of Conditional Licenses
350.270	Monitor and Receivership
350.272	Determination to Issue a Notice of Violation or Administrative Warning
350.274	Determination of the Level of a Violation
350.276	Notice of Violation
350.277	Administrative Warning
350.278	Plans of Correction
350.280	Reports of Correction
350.282	Conditions for Assessment of Penalties
350.284	Calculation of Penalties
350.286	Determination to Assess Penalties
350.288	Reduction or Waiver of Penalties
350.290	Quarterly List of Violators
350.300	Alcoholism Treatment Programs In Long-Term Care Facilities
350.310	Department May Survey Facilities Formerly Licensed
350.320	Waivers
350.330	Definitions
350.340	Incorporated and Referenced Materials

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SUBPART B: ADMINISTRATION

350.510 Administrator

350.610 Management Policies
350.620 Resident Care Policies
350.630 Admission and Discharge Policies
350.640 Contract Between Resident and Facility
350.650 Residents' Advisory Council
350.660 General Policies
350.670 Personnel Policies
350.675 Initial Health Evaluation for Employees
350.680 Developmental Disabilities Aides

~~Aide, Orderly, Program Aide, Program Technician and/or
Habituation Aide Training Program~~

350.685 Student Interns
350.690 Disaster Preparedness
350.700 Serious Incidents and Accidents

SUBPART D: PERSONNEL

350.810 Personnel
350.820 Consultation Services
350.830 Personnel Policies

SUBPART E: RESIDENT LIVING SERVICES

350.1010 Service Programs
350.1020 Psychological Services
350.1030 Social Services
350.1040 Speech Pathology and Audiology Services
350.1050 Recreational and Activities Services
350.1060 Training and Habilitation Services
350.1070 Training and Habilitation Staff

SUBPART F: HEALTH SERVICES

350.1210 Health Services
350.1220 Physician Services
350.1225 Tuberculin Skin Test Procedures
350.1230 Nursing Services
350.1240 Dental Services
350.1250 Physical and Occupational Therapy Services

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SUBPART G: MEDICATIONS

350.1410 Medication Policies and Procedures
350.1420 Conformance with Physician's Orders
350.1430 Administration of Medication
350.1440 Labeling and Storage
350.1450 Control of Narcotics and Legend Drugs

SUBPART H: RESIDENT AND FACILITY RECORDS

350.1610 Resident Record Requirements
350.1620 Content of Medical Records
350.1630 Confidentiality of Resident's Records
350.1640 Records Pertaining to Residents' Property
350.1650 Retention and Transfer of Resident Records
350.1660 Other Resident Record Requirements
350.1670 Staff Responsibility for Medical Records
350.1680 Retention of Facility Records
350.1690 Other Facility Record Requirements

SUBPART I: FOOD SERVICE

350.1810 Director of Food Services
350.1820 Dietary Staff in Addition to Director of Food Services
350.1830 Hygiene of Dietary Staff
350.1840 Diet Orders
350.1850 Adequacy of Diet and Meal Pattern
350.1860 Therapeutic Diets
350.1870 Scheduling Meals
350.1880 Menu Planning
350.1890 Food Preparation and Service
350.1900 Food Handling Sanitation
350.1910 Kitchen Equipment, Utensils, and Supplies

SUBPART J: MAINTENANCE HOUSEKEEPING AND LAUNDRY

350.2010 Maintenance
350.2020 Housekeeping
350.2030 Laundry Services

SUBPART K: FURNISHINGS, EQUIPMENT, AND SUPPLIES

350.2210 Furnishings
350.2220 Equipment and Supplies

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SUBPART L: WATER SUPPLY AND SEWAGE DISPOSAL

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Codes
Water Supply
Sewage Disposal
Plumbing

SUBPART M: CONSTRUCTION STANDARDS FOR NEW INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED

350.2610
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350.2630
350.2640
350.2650
350.2660
350.2670
350.2680
350.2690
350.2700
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350.2730
350.2740

Applicability of Standards
Codes and Standards
Preparation of Drawings and Specifications
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Administration and Public Areas
Nursing Unit
Dining, Living, Activities Rooms
Therapy and Personal Care
Service Departments
General Building Requirements
Structural
Mechanical Systems
Plumbing Systems
Electrical Systems

SUBPART N: CONSTRUCTION STANDARDS FOR EXISTING INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED

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350.2990
350.3000
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Applicability
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SUBPART O: RESIDENT'S RIGHTS

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General
Medical and Personal Care Program

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350.3300
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Restraints
Abuse and Neglect
Communication and Visitation
Residents' Funds
Residents' Advisory Council
Contract With Facility
Private Right of Action
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Complaint Procedures
Confidentiality
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SUBPART P: SPECIAL STANDARDS FOR INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED OF 15 BEDS OR LESS

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350.3730
350.3740
350.3750
350.3760
350.3770
350.3780
350.3790
350.3800
350.3810
350.3820
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350.3980
350.3990
350.4000
350.4010
350.4020

Applicability of Other Provisions of this Part
Administration
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Consultation Services and Nursing Services
Medication Policies
Food Services
Codes and Standards
Administration and Public Areas
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Nurses Station
Bath and Toilet Rooms
Utility Rooms
Living, Dining, Activity Rooms
Therapy and Personal Care
Kitchen
Laundry Room
General Building Requirements
Corridors
Special Care Room
Exit Facilities and Subdivision of Floor Areas
Stairways, Vertical Openings and Doorways
Hazardous Areas and Combustible Storage
Mechanical Systems
Heating, Cooling, and Ventilating Systems
Plumbing Systems
Electrical Systems
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TABLE F	Disaster Preparedness Parameters-Relative Humidity and Temperature.

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4151-101 et seq., as amended by Public Act 85-968, effective December 9, 1987; Public Act 85-1183, effective August 13, 1988; and Public Act 85-1378, effective September 1, 1988)

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 495, effective March 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 30, p. 1, effective July 28, 1980; amended at 5 Ill. Reg. 1657, effective February 4, 1981; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6453, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 14544, effective November 8, 1982; amended at 6 Ill. Reg. 14675, effective November 15, 1982; amended at 6 Ill. Reg. 15556, effective December 15, 1982; amended at 7 Ill. Reg. 278, effective December 22, 1982; amended at 7 Ill. Reg. 1919 and 1945, effective January 28, 1983; amended at 7 Ill. Reg. 7963, effective July 1, 1983; amended at 7 Ill. Reg. 15817, effective November 15, 1983; amended at 7 Ill. Reg. 16984, effective December 14, 1983; amended at 8 Ill. Reg. 15574 and 15578, effective August 15, 1984; amended at 8 Ill. Reg. 15935, effective August 17, 1984; amended at 8 Ill. Reg. 16980,

effective September 5, 1984; codified at 8 Ill. Reg. 19806; amended at 8 Ill. Reg. 24214, effective November 29, 1984; amended at 8 Ill. Reg. 24680, effective December 7, 1984; amended at 9 Ill. Reg. 142, effective December 26, 1984; amended at 9 Ill. Reg. 331, effective December 28, 1984; amended at 9 Ill. Reg. 2964, effective February 25, 1985; amended at 9 Ill. Reg. 10876, effective July 1, 1985; amended at 11 Ill. Reg. 14795, effective October 1, 1987; amended at 11 Ill. Reg. 16830, effective October 1, 1987; amended at 12 Ill. Reg. 979, effective December 24, 1987; amended at 12 Ill. Reg. 16838, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18705, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6040, effective April 17, 1989; amended at 13 Ill. Reg. _____, effective _____.

NOTE: Italics and capitalization denote statutory language.

SUBPART C: POLICIES

Section 350.680 Developmental Disabilities Aides
-Aide, Orderly, Program Aide, Program Technician and/or
-Habituation Aide-Training Program-

- a) Each of the facility's developmental disabilities aides shall comply with one of the following conditions no later than 45 days after the date of initial employment.
- 1) Enroll in a 120-hour developmental disabilities aide training program that has been approved by the Department under its rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). The program coursework shall be successfully completed by the developmental disabilities aide no later than 120 days after the date of initial employment.
- 2) Register for the Department's developmental disabilities aide proficiency examination which must be successfully completed no later than 120 days after the date of initial employment.
- 3) Provide documentation of equivalent developmental disabilities aide training in accordance with the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). Such documentation shall be retained by the facility as part of the employee's personnel record.
- b) Each person employed by the facility as a developmental disabilities aide shall meet each of the following requirements:

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Section 350.680(b) (continued)

- 1) Be at least sixteen years of age, of temperate habits and good moral character, honest, reliable and trustworthy.
- 2) Be able to speak and understand the English language or a language understood by a substantial percentage of the facility's residents.
- 3) Provide evidence of employment or occupation, if any, and residence for two years prior to initial employment as a nursing assistant.
- 4) Have completed at least eight years of grade school or provide proof of equivalent knowledge.

c) The facility shall certify on a form provided by the Department that each developmental disabilities aide employed by the facility meets the requirements of this Section. Such form shall be retained by the facility as part of the employee's personnel record.

d) During inspections of the facility, the Department may require developmental disabilities aides to demonstrate competency in the principles, techniques, and procedures covered by the developmental disabilities aide training program curriculum described in the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). Failure to demonstrate competency of the principles, techniques and procedures shall result in the provision of in-service training to the individual by the facility. The in-service training shall address all of the developmental disabilities aide training principles, techniques, and procedures contained in the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395).

a) Each facility shall ensure that all persons employed as Developmental Disabilities (DD) Aides comply with one of the following conditions within 45 days of initial employment: (B, C)

- 1) Enroll in a 120-hour Department of Public Health approved DD-Aide Training Program. Such course shall be successfully completed within 120 days of initial employment.
- 2) Enroll in a DD-Aide Training Program offered by a Community College, which has been approved by both the Community College Board and the Department.
- 3) Attend a recognized DD-Aide Training Program registered with

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- ~~the Department and successfully complete the Department's proficiency examination;~~
- ~~4) Successfully complete the Department's proficiency examination; or~~
- ~~5) Prove exemption from training, by prior work experience as outlined in Section 3-206 of the Act; or successfully complete the Department of Mental Health and Developmental Disabilities Mental Health Technician Training Program as delineated in Executive Order 50.~~

b) No person who meets the definition of student intern shall be required to complete a current course of training for DD Aides, or successfully complete the Department's proficiency examination. Interns may be utilized for the more basic DD Aide practices but will not be allowed to provide rehabilitation nursing, in-bed bathing, assist with skin care, foot care, enemas or any medical procedure except under the direct, immediate supervision of a licensed nurse or certified DD Aide. No facility will be allowed to have more than 15% of its DD Aide work force composed of student interns. (B, C)

c) Aides, Orderlies, Program Aides, Program Technicians, and Rehabilitation Aides who would otherwise have been exempt from the requirement for a training course except that their service was interrupted because of attending school or college or because of a leave of absence for medical reasons, may qualify for exemption by passing a proficiency examination administered by the Department of Mental Health and Developmental Disabilities or its representative. Applications for such exemptions should include the person's name and address, starting date of employment, place of employment, dates of interrupted service, and reason for interrupted service (if reason is school, last school attended and dates of attendance), and should be sent to the Department of Mental Health and Developmental Disabilities, Regional Office of the region in which the facility is located.

d) Requests to establish equivalency shall be submitted to the Department with accompanying documentation. Equivalency shall be established by any one of the following:

- 1) Documentation of successful completion of a Developmental Disabilities (DD) training course approved by another state as evidenced by a diploma or certificate; (the applicant must

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- ~~document that the course is substantially equivalent to the provisions of Section 350.680(f) of this Part;~~
- ~~2) Documentation of successful completion of a nursing arts course in an accredited nurse training program as evidenced by a diploma, certificate or other written verification from the school;~~
- ~~3) Documentation of successful completion of a nurse aide training course approved by the Illinois Board of Education between March 1, 1979 and March 1, 1980, as evidenced by a diploma or certificate; or~~
- ~~4) Documentation of one year of employment as an aide or orderly in one facility with an interruption due to sick leave or education leave not exceeding six (6) weeks during the year ending March 1, 1980;~~
- ~~e) Criteria for a State Approved Developmental Disabilities (DD) Aide training program are as follows:~~
 - ~~1) Application Procedures The following information must be furnished to the Department of Mental Health and Developmental Disabilities at least sixty (60) days in advance of the training program. Each facility providing its own training must apply for individual program approval. Retroactive approval will not be granted.~~
 - ~~2) Program rationale; i.e., philosophy, purpose, and brief summary that identifies sponsoring agency, and the qualifications of a curriculum coordinator who may be a Qualified Mental Retardation Professional or other person qualified by at least 2 years experience with Developmental Disabilities Programs with the specific approval of the Department of Mental Health and Developmental Disabilities. Instructors qualifications shall meet at least one of the following:~~
 - ~~A) Verification of successful completion of a train the trainer workshop approved by the Department of Mental Health and Developmental Disabilities.~~
 - ~~B) A Qualified Mental Retardation Professional approved as a trainer by the Department of Mental Health and Developmental Disabilities.~~

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- ~~C) At least one (1) year of experience with Developmental Disabilities programs and approved by the Department of Mental Health and Developmental Disabilities.~~
- ~~D) Have a valid Illinois teaching certificate; or~~
- ~~E) Be a Community College approved instructor with at least one year of teaching experience.~~
- ~~3)
 - ~~A) For the academic (classroom) component of training, a complete outline including program and course title, behavioral objectives that the learner is expected to know or do, content outline and teaching methods is required.~~
 - ~~B) For the on-the-job training component of training, a completed itemization of written training tasks (analogous to behavioral objectives) and specified training behaviors that comprise a task (analogous to a content outline) is required.~~~~
- ~~4) Location and scheduled dates of program (including future dates). If programs are cancelled or rescheduled for any reason, the Department of Mental Health and Developmental Disabilities must be notified prior to delivery date for purposes of monitoring.~~
- ~~5) A copy of the evaluation tool must be included. The evaluation tool must evaluate the objectives, content, on the job performance evaluation and instructors.~~
- ~~6) Submitted materials will be reviewed by the Department of Mental Health and Developmental Disabilities. The Department of Mental Health and Developmental Disabilities will submit recommendations to the Department. The Department will make the final decision and the program sponsor will be notified of the Department's action. Approval will be based upon compliance with the provisions of this section. If the program is not approved, the reason for this decision will be given in writing to the program sponsor.~~
- ~~7) If a program is not approved, the program sponsor may, after making the appropriate modifications, reapply for approval.~~
- ~~8) The basic content shall be presented in a minimum time frame of~~

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- ~~three (3) weeks, but not to exceed a maximum of one hundred twenty (120) days unless it is being done by a recognized educational institution on a term, semester, or trimester basis. Each trainee shall receive one hundred twenty (120) hours of in-service training. A ratio of two (2) hours on the job training to one (1) hour of classroom training including role playing, case studies, demonstrations, lectures, self study must be reflected in the one hundred twenty (120) hours minimum of training. The following requirements shall be met for on the job training (OJT):~~
- ~~A) OJT training tasks shall be identified and written that specify what training behaviors the trainee is required to perform.~~
- ~~B) Each task shall have the required steps necessary for successful completion of the task specified in writing.~~
- ~~C) OJT task specified behaviors shall be taught by a qualified instructor.~~
- ~~D) Evaluation of all OJT tasks shall be by direct observation by the instructor.~~
- ~~E) A recording form indicating the date of successful completion of all OJT tasks shall be filled out and kept in the file at the facility.~~
- ~~9) Term, semester and trimester courses may be submitted by an educational institution. The program must include designated hours for OJT and evidence of agency agreements.~~
- ~~10) The approval process is not intended to place special emphasis on the sequence of subject presentation nor to be contingent upon the category of topic headings under which functional subjects are presented.~~
- ~~11) Orientation to the specific policies of the employing agency shall be in addition to the one hundred twenty (120) hours of instruction.~~
- ~~12) Any change in content, objectives, or instructional staff must be submitted to the Department of Mental Health and Developmental Disabilities for review. Approval of any change will be made in accordance with Section 350.680 (e) (6) of~~

Section 350.680 (continued)

~~this Part.~~

- ~~13) All approved training programs must be reviewed by the Department of Mental Health and Developmental Disabilities on an annual basis for continued approval. The Department of Mental Health and Developmental Disabilities shall notify the Department of continued approval or disapproval in the review process. Reference will be made to the number previously assigned to the program by the Department.~~
- ~~f) Course Requirements The Basic Training Program for DD Aides shall include, at a minimum.~~
 - ~~1) Orientation~~
 - ~~A) Functions of long term care facilities for the developmentally disabled.~~
 - ~~B) The health care professions, support services for the developmentally disabled and community social service agencies.~~
 - ~~C) Philosophy of residential care.~~
 - ~~D) Role of the interdisciplinary team.~~
 - ~~E) Job duties and responsibilities of the DD Aide.~~
 - ~~2) Introduction to the Residents~~
 - ~~A) Communication and interpersonal relationships with residents, families and others.~~
 - ~~B) Psychosocial needs of residents and their family.~~
 - ~~C) The growth and development process.~~
 - ~~D) Characteristics and types of developmental disabilities.~~
 - ~~E) Resident's adjustment to death and dying.~~
 - ~~3) Fundamentals of Habilitation Planning~~
 - ~~A) Philosophy of achieving independent living skills.~~

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- ~~B) Introduction to the individual habilitation plan including the role of the employee in the habilitation process~~
- ~~C) Habilitation plan assessment procedures and goal planning~~
- ~~D) The role of the employee in the admission, transfer and discharge processes~~
- ~~E) The role of the employee in basic resident care planning and procedures~~
- ~~4) Techniques of Habilitation Planning and Implementation The role of the employee in social habilitation, including:

 - ~~A) Activities of daily living (ADL)~~
 - ~~B) Therapeutic and leisure time activities~~
 - ~~C) Education~~
 - ~~D) Community living adjustment~~
 - ~~E) Behavior development~~
 - ~~F) Behavior control~~
 - ~~G) Effect of drugs in behavior management~~
 - ~~H) Total communication~~
 - ~~I) Pre-vocational and vocational training~~
 - ~~J) Nutrition and fluid intake~~
 - ~~K) Diets and therapeutic diets~~~~
- ~~5) Principles of Record Keeping

 - ~~A) History and use of facility records with special emphasis on the role of the employee in the record keeping process~~
 - ~~B) Content and organization of resident records~~
 - ~~C) Recording methods for progress notes, universal notes, ABC notes and habilitation reviews~~~~

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- ~~D) Writing effective progress notes~~
- ~~E) Confidentiality~~
- ~~F) Recording admission, transfer and discharge information~~
- ~~6) Safety

 - ~~A) Basic fire safety~~
 - ~~B) Emergency and disaster procedures~~
 - ~~C) Injury prevention techniques~~
 - ~~D) Household daily safety procedures including body mechanics~~~~
- ~~7) Facility Environment

 - ~~A) Creating normalized environment for daily living activities~~
 - ~~B) Importance of cleanliness of the facility, use of equipment and supplies~~~~
- ~~8) Principles of Disease Control

 - ~~A) Introduction to micro-organisms causing resident illness and disease~~
 - ~~B) Teaching of disinfection and sanitation~~~~
- ~~9) Emergency Medical Procedures

 - ~~A) CPR~~
 - ~~B) Seizures~~
 - ~~C) Drug reactions~~
 - ~~D) Traumas~~
 - ~~E) Heimlich maneuver~~~~
- ~~10) Resident Rights~~

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- ~~A) Basic civil, human and legal rights of residents~~
- ~~B) Protection of residents' personal property~~
- ~~1) Bodily Functions~~
 - ~~A) Helping residents to understand their body functions~~
 - ~~B) Personal hygiene~~
 - ~~C) Human sexual behavior~~
- ~~g) Evaluation~~
 - ~~Upon successful completion of the Basic Developmental Disabilities (DD) Aide training program, the student must show competency of nursing, personal care and habilitative skills by return demonstration as well as pass a written examination encompassing theory and skills taught.~~
- ~~h) Monitoring~~
 - ~~The Department shall on a random basis monitor the training program. If a monitor finds the training to be inadequate relative to the materials submitted to the Department's Review Committee, a program approval may be rescinded.~~
- ~~i) Certificates~~
 - ~~1) Proof of successful completion of the approved program necessitates the sponsoring organization to award certificates to the trainees. Certificates must be sent to the Department where they will be validated. A list of names, with Social Security numbers, course completion date, and program approval number, must accompany submitted certificates. The Department will return the certificates to the sponsor(s) for distribution.~~
 - ~~2) The following minimum information must be typed on the certificates before they are sent to the Department for validation:~~
 - ~~A) Name of the trainee and Social Security number.~~
 - ~~B) Title: Basic Developmental Disabilities (DD) Aide training program.~~

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Section 350.680 (continued)

- ~~C) Identification number of the program assigned by the Department.~~
- ~~3) Successful completion of the course does not imply "certification" of the DD aide by the State. It only indicates that the person has successfully completed the Basic Developmental Disabilities (DD) Aide training program and can be employed by licensed long-term care facilities as a DD Aide.~~
- ~~j) Application for approval of programs~~
 - ~~Requests for approval of programs and other related correspondence are to be submitted to:~~
 - ~~Illinois Department of Public Health~~
 - ~~Office of Health Regulation~~
 - ~~525 West Jefferson Street~~
 - ~~Springfield, Illinois 62761~~
 - ~~It will not be necessary for any course, currently approved under criteria in effect at the time these revised criteria for Basic Developmental Disabilities (DD) Aide training programs become effective to make any changes in program content until such time as a review by the Department indicates the revisions to the program content are needed to keep the program in compliance with the rules. Any program determined to need changes will be notified, in writing, by the Department. Unless and until such written notification is received, there is no need to contact the Department concerning continued approval of a program.~~
- ~~k) Recognized Training Program~~
 - ~~1) Any licensed long term care facility may teach a recognized training program for DD Aides which can be individualized for each employee and can be taught by any person or persons in the facility.~~
 - ~~2) Any DD Aide who attends a recognized training program must successfully pass the Department's proficiency examination before being permitted to function as a DD Aide.~~
 - ~~3) Recognized training programs shall be registered with the Department by letter, and must state that, as a minimum, the course content in subsection d) will be taught in whole or in~~

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Section 350.680 (continued)

- ~~part, give the name of the instructor and give notice that the program is operational.~~
- ~~4) Recognized training programs must, as a minimum, provide all or part of the course content of an approved Department training program (see subsection d), above).~~
- ~~1) Proficiency Examination for DD Aide—~~
- ~~1) Any person employed as a DD Aide, may elect and request to take a proficiency examination in lieu of a course of training as required under Section 3-206 (a) (5) of the Act.~~
- ~~2) The person must meet the requirements of Section 3-206 (a) (1-4) of the Act and be or will be employed as a DD Aide.~~
- ~~3) A completed application must be presented at the time of the examination on forms provided by the Department.~~
- ~~4) The proficiency examination will be offered monthly in each of the Department's Regions. A list of test sites, dates and times can be obtained by calling the Department at (217) 705-5133.~~
- ~~5) The examination will consist of written questions from the approved curriculum (see subsection d, above). An examinee must score 70% or more on each section in order to successfully pass the examination. Notice of Pass or Fail will be sent to the examinee and the employer. Only those sections previously failed must be retaken during subsequent attempts to pass the entire proficiency examination.~~
- ~~6) An examinee who fails the proficiency examination three (3) times within the first one hundred twenty (120) days of employment must enroll in and complete an approved course of instruction in order to become a DD Aide, in accordance with Section 3-206 of the Act.~~

(Source: Section repealed, new Section adopted at 12 Ill. Reg. _____, effective _____)

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Section 350.685 Student Interns

- ~~a) No person who meets the definition of student intern in Section 350.330 shall be required to complete a current course of training for developmental disabilities aides, or successfully complete the Department's proficiency examination.~~
- ~~b) The facility may utilize interns to perform basic developmental disabilities aide practices, but shall not allow interns to provide rehabilitation nursing, in-bed bathing, assistance with skin care, foot care, enemas, or any medical procedure, except under the direct, immediate supervision of a licensed nurse or certified developmental disabilities aide.~~
- ~~c) No facility shall have more than fifteen percent of its nursing assistant staff positions held by student interns.~~

(Source: Added at 13 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS1) Heading of Part:

Long-Term Care For Under Age 22 Facilities Code

2) Code Citation:

77 Ill. Adm. Code 390

3) Section Numbers:390.680
390.685Proposed Action:Repeal, New Section
New Section4) Statutory Authority:

Nursing Home Care Act Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4151-101 et seq., as amended by Public Act 85-968 (Senate Bill 1322), effective December 9, 1987, Public Act 85-1183 (House Bill 4172), effective August 13, 1988, and Public Act 85-1378 (Senate Bill 2201), effective September 1, 1988]

5) A Complete Description of the Subjects and Issues Involved:

These proposed amendments are part of an effort by the Department of Public Health to consolidate its rules concerning training programs for nursing assistants and aides in long-term care facilities. The consolidated requirements will be contained in a new Part 395. This consolidation of the training program rules in Part 395 should facilitate public understanding of the requirements for nursing assistant training programs. The provisions of this new Part 395 were published as proposed rules in the Illinois Register on December 2, 1988, at 12 Ill. Reg. 19927.

These proposed amendments to Part 390, which governs the licensure of long-term care facilities for persons under age 22, eliminate the provisions which will be included in Part 395. Most of the current text of Section 390.680 is being replaced and relocated into the new Part 395. The remaining provisions of Section 390.680 are limited to the facilities' responsibility to insure that employed aides are qualified and have completed the required training. The provisions which concern the use of student interns are being incorporated into a new Section 390.685. No major substantive changes are being made in the actual content of these rules. Similar amendments to Parts 300, 330, and 350, which govern the licensure of other types of long-term care facilities, are also being proposed in this issue of the Illinois Register.

These proposed changes were also included in a set of proposed amendments which were published in the Illinois Register on December 23, 1988, at 12

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Ill. Reg. 21064. The changes related to aide training programs were withdrawn from that set of proposed amendments prior to its adoption. That set of proposed amendments was published in the Illinois Register as adopted on April 28, 1989, at 13 Ill. Reg. 6301.

The Department believes that there will be little, if any, economic effect of these proposed amendments on the regulated public. The Department anticipates that the amendments will be adopted within the next three to four months.

6) Will these Proposed Amendments Replace an Emergency Rule Currently in Effect? No.

7) Does this Rulemaking contain an Automatic Repeal Date? No.

8) Do these Proposed Amendments Contain Incorporations By Reference? No.

9) Are there any other Proposed Amendments Pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking neither creates nor expands a state mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Proposed Rulemaking:

Interested persons may present their comments concerning these rules by writing to Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, within 45 days after this edition of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rule was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

May 16, 1989

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B) Type of Small Businesses Affected:

Long-term care facilities which are totally or partially licensed as long-term care facilities for persons under age 22.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

No additional reporting, bookkeeping or other procedures are required for compliance.

D) Types of Professional Skills Necessary for Compliance:

No additional professional skills are necessary for compliance.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 390

LONG-TERM CARE FOR UNDER AGE 22 FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	
390.110	General Requirements
390.120	Application for License
390.130	Licensee
390.140	Issuance of an Initial License for a New Facility
390.150	Issuance of an Initial License Due to a Change of Ownership
390.160	Issuance of a Renewal License
390.165	Criteria for Adverse License Actions
390.170	Denial of Initial License
390.175	Denial of Renewal of License
390.180	Revocation of License
390.190	Experimental Program Conflicting With Requirements
390.200	Inspections, Surveys, Evaluations and Consultation
390.210	Filing an Annual Attested Financial Statement
390.220	Information to Be Made Available to the Public by the Department
390.230	Information to Be Made Available to the Public By the Licensee
390.240	Municipal Licensing
390.250	Ownership Disclosure
390.260	Issuance of Conditional Licenses
390.270	Monitor and Receivership
390.272	Determination to Issue a Notice of Violation or Administrative Warning
390.274	Determination of the Level of a Violation
390.276	Notice of Violation
390.277	Administrative Warning
390.278	Plans of Correction
390.280	Reports of Correction
390.282	Conditions for Assessment of Penalties
390.284	Calculation of Penalties
390.286	Determination to Assess Penalties
390.288	Reduction or Waiver of Penalties
390.290	Quarterly List of Violators
390.300	Alcoholism Treatment Programs in Long-Term Care Facilities
390.310	Department May Survey Facilities Formerly Licensed
390.320	Waivers
390.330	Definitions
390.340	Incorporated and Referenced Materials

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NOTICE OF PROPOSED AMENDMENTS

SUBPART B: ADMINISTRATION

390.500 Administrator

SUBPART C: POLICIES

390.610 Management Policies
390.620 Resident Care Policies
390.630 Admission and Discharge Policies
390.640 Contract Between Resident and Facility
390.650 Residents' Advisory Council
390.660 General Policies
390.670 Personnel Policies
390.675 Initial Health Evaluation for Employees
390.680 Child Care/Habilitation Aides
~~Basic Child Care/Orderly Training Program~~
390.685 Student Interns
390.690 Disaster Preparedness
390.700 Serious Incidents and Accidents

SUBPART D: PERSONNEL

390.810 General
390.820 Categories of Personnel
390.830 Consultation Services

SUBPART E: HEALTH AND DEVELOPMENTAL SERVICES

390.1010 Service Programs
390.1020 Medical Services
390.1030 Physician Services
390.1035 Tuberculin Skin Test Procedures
390.1040 Nursing Services
390.1050 Dental Care Services
390.1060 Physical and Occupational Therapy Services
390.1070 Psychological Services
390.1080 Social Services
390.1090 Speech Pathology and Audiology Services
390.1100 Recreational and Activity Services
390.1110 Educational Services
390.1120 Work Activity and Prevocational Training Services

SUBPART F: RESTRAINTS AND SAFETY DEVICES,
BEHAVIOR MANAGEMENT, AND BEHAVIOR EMERGENCIES

390.1310 Restraints and Safety Devices
390.1320 Behavior Management

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390.1330 Behavior Emergencies

SUBPART G: MEDICATIONS

390.1410 Medication Policies and Procedures
390.1420 Conformance with Physician's Orders
390.1430 Administration of Medication
390.1440 Labeling and Storage of Medications
390.1450 Control of Narcotics and Legend Drugs

SUBPART H: RESIDENT AND FACILITY RECORDS

390.1610 Resident Record Requirements
390.1620 Content of Medical Records
390.1630 Confidentiality of Resident's Records
390.1640 Records Pertaining to Residents' Property
390.1650 Retention and Transfer of Resident Records
390.1660 Other Resident Record Requirements
390.1670 Staff Responsibility for Medical Records
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TABLE E Sprinkler Requirements

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AUTHORITY:

Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4151-101 et seq., as amended by Public Act 85-968, effective December 9, 1987; Public Act 85-1183, effective August 13, 1988; and Public Act 85-1378, effective September 1, 1988)

SOURCE:

Adopted at 6 Ill. Reg. 1658, effective February 1, 1982; emergency amendment at 6 Ill. Reg. 3223, effective March 8, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11622, effective September 14, 1982; amended at 6 Ill. Reg. 14557 and 14560, effective November 8, 1982; amended at 6 Ill. Reg. 14678, effective November 15, 1982; amended at 7 Ill. Reg. 282, effective December 22, 1982; amended at 7 Ill. Reg. 1927, effective January 28, 1983; amended at 7 Ill. Reg. 15821, effective July 11, 1983; amended at 7 Ill. Reg. 16988, effective November 15, 1983; amended at 7 Ill. Reg. 15585, effective December 14, 1983; amended at 8 Ill. Reg. 15589, and 15592, effective August 15, 1984; amended at 8 Ill. Reg. 16989, effective September 5, 1984; codified at 8 Ill. Reg. 19823; amended at 8 Ill.

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Reg. 24159, effective November 29, 1984; amended at 8 Ill. Reg. 24656, effective December 7, 1984; amended at 8 Ill. Reg. 25083, effective December 14, 1984; amended at 9 Ill. Reg. 122, effective December 26, 1984; amended at 9 Ill. Reg. 10785, effective July 1, 1985; amended at 11 Ill. Reg. 16782, effective October 1, 1987; amended at 12 Ill. Reg. 931, effective December 24, 1987; amended at 12 Ill. Reg. 16780, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18243, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6301, effective April 17, 1989; amended at 13 Ill. Reg. _____. effective _____.

NOTE: Italics and capitalization denote statutory language.

SUBPART C: POLICIES

Section 390.680

Child Care/Habilitation Aides

~~Basic Child Care/Orderly Training Program~~

- a) Each of the facility's child care/habilitation aides shall comply with one of the following conditions no later than 45 days after the date of initial employment.
 - 1) Enroll in a 120-hour child care/habilitation aide training program that has been approved by the Department under its rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). The program coursework shall be successfully completed by the child care/habilitation aide no later than 120 days after the date of initial employment.
 - 2) Register for the Department's child care/habilitation aide proficiency examination which must be successfully completed no later than 120 days after the date of initial employment.
 - 3) Provide documentation of equivalent child care/habilitation aide training in accordance with the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). Such documentation shall be retained by the facility as part of the employee's personnel record.
- b) Each person employed by the facility as a child care/habilitation aide shall meet each of the following requirements:
 - 1) Be at least sixteen years of age, of temperate habits and good moral character, honest, reliable and trustworthy.

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Section 390.680(b) (continued)

- 2) Be able to speak and understand the English language or a language understood by a substantial percentage of the facility's residents.
 - 3) Provide evidence of employment or occupation, if any, and residence for two years prior to initial employment as a child care/habilitation aide.
 - 4) Have completed at least eight years of grade school or provide proof of equivalent knowledge.
 - c) The facility shall certify on a form provided by the Department that each child care/habilitation aide employed by the facility meets the requirements of this Section. Such form shall be retained by the facility as part of the employee's personnel record.
 - d) During inspections of the facility, the Department may require child care/habilitation aides to demonstrate competency in the principles, techniques, and procedures covered by the child care/habilitation aide training program curriculum described in the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). Failure to demonstrate competency of the principles, techniques and procedures shall result in the provision of in-service training to the individual by the facility. The in-service training shall address all of the child care/habilitation aide training principles, techniques, and procedures contained in the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395).
- a-)
- 1) Each facility shall ensure that all persons employed as child care/habilitation aides comply with one of the following conditions within 45 days of initial employment: (B, C)
 - A) Enroll in a 120-hour Department of Public Health approved Basic Child Care/Habilitation Aide Training Program; Basic Nursing Assistant Training Program; or Basic Developmental Disabilities (DD) Aide Training Program. Such course shall be completed within 120 days of initial employment;
 - B) Attend a recognized Child Care/Habilitation Aide Training Program; Basic Nursing Assistant Training Program; or Basic Developmental Disabilities (DD) Aide Training Program registered with the Department of Public Health and successfully complete the Department's proficiency

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Section 390.680 (continued)

- ~~examination;~~
- ~~C) Successfully complete the Department's proficiency examination; or~~
- ~~D) Prove exemption from training, by prior work experience as outlined in Section 3206 of the Act.~~
- 2) ~~No person who meets the definition of student intern shall be required to complete a current course of training for child care/habilitation aides, or successfully complete the Department's proficiency examination.~~
- 3) ~~Interns may be utilized for the more basic child care/habilitation aide practices, but will not be allowed to provide (re)habilitation nursing, in-bed bathing, assistance with skin care, foot care, enemas or any medical procedure, except under the direct, immediate supervision of a licensed nurse or certified nursing assistant.~~
- 4) ~~No facility will be allowed to have more than 15% of its child care/habilitation aide work force composed of student interns.~~
 - ~~b) Requests to establish equivalency shall be submitted to the Department with accompanying documentation. Equivalency may be established by any one of the following: (B)~~
 - 1) ~~Documentation of successful completion of a training course approved by another state as evidenced by a diploma or certificate. (The applicant must document that the course is substantially equivalent to the provisions of Section 390.680(f) of this Part.)~~
 - 2) ~~Documentation of successful completion of a Basic Child Care/Habilitation Aide Training Program approved by the Department. Approval will be based upon compliance with the provisions of this Section.~~
 - 3) ~~Documentation of successful completion of a Basic Nursing Assistant Training Program or a Basic Developmental Disabilities (DD) Aide Training Program approved by the Department.~~
 - 4) ~~Documentation of successful completion of a nursing arts course in an accredited nurse training program as evidenced by a~~

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- ~~diploma, certificate or other written verification from the school.~~
- 5) ~~Documentation of successful completion of a nursing assistant training program approved by the Illinois Board of Education between March 1, 1979 and March 1, 1980 as evidenced by a diploma or certificate.~~
- 6) ~~Documentation of one year of employment as a nursing assistant in one facility with an interruption due to sick leave or education leave not exceeding six (6) weeks during the year ending March 1, 1980.~~
- c) ~~Criteria For A State Approved Basic Child Care/Habilitation Aide Training Program are as follows:~~
 - 1) ~~Application Procedures~~
 - ~~The following information must be furnished to the Department at least sixty (60) days in advance of the training program. Programs submitted and approved under the Home Health Licensing Act shall be deemed to meet these rules and regulations. Each facility providing its own training must apply for individual program approval. Retroactive approval will not be granted.~~
 - 2) ~~Program rationale; i.e., philosophy, purpose and brief summary that identifies sponsoring agency, and faculty qualifications.~~
 - 3) ~~Complete outline including program title, objectives, content, and methodology delineated by hour. The instructor has flexibility of teaching content in desired outline.~~
 - 4) ~~Location and scheduled dates of program (including future dates). If programs are canceled or rescheduled for any reason, the Department must be notified prior to delivery date for purposes of monitoring.~~
 - 5) ~~A copy of the evaluation tool must be included. The evaluation tool must evaluate the objectives, content, clinical performance and instructors.~~
 - 6) ~~Submitted materials will be reviewed by the Department and the program sponsor will be notified of the Department's action. If the program is not approved, the reason for this decision will be given to the program sponsor.~~

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- ~~7) If a program is not approved, the program sponsor may, after making the appropriate modifications, reapply for approval.~~
- ~~8) Orientation to the specific policies of the employing agency shall be in addition to the one hundred twenty (120) hours of instruction.~~
- ~~9) Any change in content, objectives, or instructional staff must be submitted for review.~~
- ~~10) All approved training programs must be resubmitted on an annual basis for continued approval. In the resubmission process, please refer to the number assigned by the Department.~~
- ~~11)

 - ~~A) The course instructor shall be a registered nurse with a current Illinois license who has no other duties while engaged in the training program, and who meets one of the following qualifications:

 - ~~1) Valid Illinois teaching certificate or Community College approved instructor with at least one semester of teaching experience.~~
 - ~~11) Community College approved instructor; Verification of attendance at the Department Trainer Workshop (LPN's who attended prior to the effective date of the Act shall qualify).~~~~
 - ~~11) Evidence of at least one semester of formal teaching experience.~~
 - ~~B) Instructors' vitae must be submitted.~~
 - ~~12) The basic content must be presented in a minimum time frame of three (3) weeks, but not to exceed a maximum of one hundred twenty (120) days unless it is being done by a recognized educational institution on a term, semester or trimester basis. A minimum of forty (40) hours of theory including supervised laboratory experience and a minimum of forty (40) hours of supervised clinical practice (direct nursing care) must be reflected in the one hundred twenty (120) hours minimum of training. The other forty (40) hours may be distributed whichever way the program wishes between these two (2) categories. Term, semester and trimester courses may be~~~~

Section 390.680 (continued)

- ~~Submitted by an educational institution. The program must include designated hours for clinical practice and evidence of agreements with all outside agencies providing such clinical practice.~~
- ~~8) Course Requirements. The Basic Child Care/Habilitation Aide Training Program shall include at a minimum:

 - ~~1) Orientation.

 - ~~A) Functions of health care facilities.~~
 - ~~B) Health care professions.~~
 - ~~C) Philosophy of resident care.~~
 - ~~D) The role of the interdisciplinary or multidisciplinary health care team.~~
 - ~~E) Personal qualities of the Aide.~~
 - ~~F) Duties of the Aide.~~
 - ~~G) Medical terminology.~~
 - ~~H) Record keeping.~~
 - ~~I) Residents' rights.~~~~
 - ~~2) Introduction to the resident.

 - ~~A) Communication and interpersonal relationships with residents, families and others.~~
 - ~~B) Psychological needs of resident and family.~~
 - ~~C) Normal growth and development.~~
 - ~~D) Characteristics of developmental disabilities and mental illnesses.~~~~
 - ~~3) Your working environment.

 - ~~A) Cleanliness in the health care setting.~~~~~~

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Section 390.680 (continued)

- ~~B) Principles of handwashing.~~
- ~~C) Principles of disinfection.~~
- ~~D) Principles of sterilization.~~
- ~~E) Techniques of disinfection.~~
- ~~F) Maintaining equipment and supplies.~~
- ~~4) Safety.~~
 - ~~A) Body mechanics.~~
 - ~~B) Fire safety.~~
 - ~~C) Disaster.~~
- ~~5) Emergency Medical Procedures.~~
 - ~~A) CPR.~~
 - ~~B) Seizures.~~
 - ~~C) Drug reactions.~~
 - ~~D) Heimlich maneuver.~~
 - ~~E) Trauma.~~
- ~~6) The resident's unit.~~
 - ~~Bedmaking procedures unoccupied and occupied.~~
- ~~7) Lifting, moving and transporting residents.~~
 - ~~A) In bed.~~
 - ~~B) Ambulatory.~~
 - ~~C) Wheelchair.~~
 - ~~D) Stretcher.~~
- ~~8) Basic Anatomy.~~

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- ~~A) Skeletal System.~~
- ~~B) Circulatory System.~~
- ~~C) Digestive System.~~
- ~~D) Respiratory System.~~
- ~~E) Urinary System.~~
- ~~F) Functioning of the human body as related to the disease process.~~
- ~~9) Personal care of the resident.~~
 - ~~A) Oral hygiene.~~
 - ~~B) Bathing procedures.~~
 - ~~C) Care of the back, feet and skin.~~
 - ~~D) Observing and reporting.~~
 - ~~E) Personal hygiene.~~
- ~~10) Nutrition.~~
 - ~~A) Diets therapeutic diets.~~
 - ~~B) Feeding techniques.~~
 - ~~C) Nourishments.~~
 - ~~D) Fluid intake.~~
- ~~11) Fluid balance.~~
 - ~~A) Measuring fluid intake and output.~~
 - ~~B) Forcing and restricting fluids.~~
 - ~~C) Specimen collection.~~
- ~~12) Observing and recording vital signs.~~

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Section 390.680 (continued)

- ~~A) Taking the temperature.~~
- ~~B) Taking pulse.~~
- ~~C) Taking respirations.~~
- ~~D) Taking blood pressure.~~
- ~~E) Recording vital signs.~~
- ~~13) Supportive care.~~
 - ~~A) Heat applications.~~
 - ~~B) Cold applications.~~
 - ~~C) Enemas.~~
 - ~~D) The vaginal douche external and internal.~~
 - ~~E) Preparing the resident for surgery physiologically.~~
 - ~~F) Preparing the resident for surgery psychologically.~~
 - ~~G) Care for the post-operative resident's physiological needs.~~
 - ~~H) Care for the post-operative resident's psychological needs.~~
 - ~~I) Side effects of various medications.~~
- ~~14) Fundamentals of (Re)habilitation.~~
 - ~~A) Physical.~~
 - ~~B) Social.~~
 - ~~C) Psychosocial.~~
 - ~~D) Behavioral.~~
- ~~15) Resident care planning.~~
 - ~~A) Individual Habilitation Plan.~~
 - ~~B) Individual Education Plan.~~

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Section 390.680 (continued)

- ~~C) Admission.~~
- ~~D) Transfer.~~
- ~~E) Discharge.~~
- ~~F) Home visits.~~
- ~~16) The resident in isolation.~~
 - ~~A) Isolation techniques.~~
 - ~~B) Physiological aspects of isolation.~~
 - ~~C) Psychological aspects of isolation.~~
- ~~17) Care of the terminally ill resident.~~
 - ~~A) Psychological needs of the resident.~~
 - ~~B) Psychological needs of the family.~~
- ~~18) Care of the body.~~
 - ~~Postmortem care.~~
- ~~e) Evaluation.~~
 - ~~Upon successful completion of the Basic Child Care/Habilitation Aide Training Program, the student must show competency of relevant skills by demonstrating these skills as well as by passing a written examination encompassing theory and skills taught.~~
- ~~f) Monitoring.~~
 - ~~The Illinois Department of Public Health shall on a random basis monitor the training program. If a monitor finds the training to be inadequate relative to the materials submitted to the Department's Review Committee, program approval may be rescinded.~~
- ~~g) Certificates.~~
 - ~~1) Proof of successful completion of the approved program necessitates the sponsoring organization to award certificates to the trainees. Certificates must be sent to the Department where they will be validated and embossed with the Department's seal. A list of names, with Social Security numbers, course~~

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Section 390.680 (continued)

- ~~completion date, and program approval number, must accompany submitted certificates. The Department will return the certificates to the sponsor(s) for distribution.~~
 - 2) ~~The following minimum information must be typed on the certificates before they are sent to the Department for validation:~~
 - ~~A) Name of the trainee and Social Security number.~~
 - ~~B) Title: Basic Child Care/Habilitation Aide Training Program.~~
 - ~~C) Identification number of the program.~~
 - 3) ~~Successful completion of the course does not imply "certification" of the child care/habilitation aide by the State. It only indicates that the person has successfully completed the Basic Child Care/Habilitation Aide Training program and can be employed by licensed long term care facilities as a child care/habilitation aide.~~
 - 4) ~~Application for approval of programs—Requests for approval of programs and other related correspondence are to be submitted to:~~
 - ~~Illinois Department of Public Health~~
 - ~~Office of Health Regulation~~
 - ~~525 West Jefferson Street~~
 - ~~Springfield, Illinois 62761~~
- ~~It will not be necessary for any course, currently approved under criteria in effect at the time these revised criteria for Basic Child Care/Habilitation Aide Training Programs become effective, to make any changes in program content until such time as a review by the Department indicates the revisions to the program content are needed to keep the program in compliance with the rules. Any program determined to need changes will be notified, in writing, by the Department. Unless and until such written notification is received, there is no need to contact the Department concerning continued approval of a program.~~
- i) ~~Recognized Training Program~~
 - ~~Any licensed long term care facility may teach a recognized training program for prospective child care/habilitation aides~~

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NOTICE OF PROPOSED AMENDMENTS

Section 390.680 (continued)

- ~~which can be individualized for each employee and can be taught by any person or persons in the facility.~~
- 2) ~~Any person who attends a recognized training program must successfully pass the Department's proficiency examination before being permitted to function as a certified child care/habilitation aide.~~
- 3) ~~Recognized training programs shall be registered with the Department by letter and must state that, as a minimum, the course content in 390.680(d) will be taught wholly or in part, give the name of the instructor and give notice that the program is operational.~~
- 4) ~~Recognized training programs must, as a minimum, provide all or part of the course content of an approved Department training program such as in 390.680(d).~~
- j) ~~Proficiency Examination for Child Care/Habilitation Aides~~
 - ~~Any person employed as a child care/habilitation aide may elect and request to take a proficiency examination in lieu of a course of training as required under section 3-206(a)(5) of the Act.~~
 - 2) ~~The person must meet the requirements of Section 3-206(a)(1-4) of the Act and be or will be employed as a child care/habilitation aide.~~
 - 3) ~~A completed application must be presented at the time of the examination on forms provided by the Department.~~
 - 4) ~~The proficiency examination will be offered monthly in each of the Department's Regions. A list of test sites, dates and times can be obtained by calling the Department at (217) 785-5133.~~
 - 5) ~~The examination will consist of written questions from the approved curriculum as shown in 390.680(d). An examinee must score 70% or more on each section in order to successfully pass the section. Notice of Pass or Fail will be sent to the examinee and the employer. Only those sections previously failed must be retaken during subsequent attempts to pass the entire proficiency examination.~~

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Section 390.680 (continued)

- ~~(6) An examinee who fails the proficiency examination three (3) times within the first forty five (45) days of employment must enroll in and complete an approved course of instruction in order to become a qualified child care/habilitation aide in accordance with Section 3-206 of the Act.~~

(Source: Section repealed, new Section adopted at 13 Ill. Reg. _____, effective _____)

Section 390.685 Student Interns

- a) No person who meets the definition of student intern in Section 390.330 shall be required to complete a current course of training for child care/habilitation aides, or successfully complete the Department's proficiency examination.
- b) The facility may utilize interns to perform basic child care/habilitation aide practices, but shall not allow interns to provide rehabilitation nursing, in-bed bathing, assistance with skin care, foot care, enemas, or any medical procedure, except under the direct, immediate supervision of a licensed nurse or certified child care/habilitation aide.

- c) No facility shall have more than fifteen percent of its child care/habilitation aide staff positions held by student interns.

(Source: Added at 13 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part:

Sheltered Care Facilities Code

2) Code Citation:

77 Ill. Adm. Code 330

3) Section Numbers:330.913
330.916Proposed Action:New Section
New Section4) Statutory Authority:

Nursing Home Care Act [Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4151-101 et seq., as amended by Public Act 85-968 (Senate Bill 1322), effective December 9, 1987, Public Act 85-1183 (House Bill 4172), effective August 13, 1988, and Public Act 85-1378 (Senate Bill 2201), effective September 1, 1988]

5) A Complete Description of the Subjects and Issues Involved:

These proposed amendments are part of an effort by the Department of Public Health to consolidate its rules concerning training programs for nursing assistants and aides in long-term care facilities. The consolidated requirements will be contained in a new Part 395. This consolidation of the training program rules in Part 395 should facilitate public understanding of the requirements for nursing assistant training programs. The provisions of this new Part 395 were published as proposed rules in the Illinois Register on December 2, 1988, at 12 Ill. Reg. 19927.

These proposed amendments to Part 330, which governs the licensure of sheltered care facilities, add two provisions which will insure that the rules are consistent with the Nursing Home Care Act, with the requirements in the new Part 395, and with the rules governing other types of long-term care facilities. Proposed new Section 330.913 requires facilities to insure that employed aides are qualified and have completed the required training. Provisions concerning the use of student interns are being incorporated into a new Section 330.916. Related amendments to parts 300, 350, and 390, which govern the licensure of other types of long-term care facilities, are also being proposed in this issue of the Illinois Register.

These proposed changes were also included in a set of proposed amendments which were published in the Illinois Register on December 23, 1988, at 12 Ill. Reg. 21893. The changes related to aide training programs were

withdrawn from that set of proposed amendments prior to its adoption. That set of proposed amendments was published in the Illinois Register as adopted on April 28, 1989, at 13 Ill. Reg. 6562.

The Department believes that there will be little, if any, economic effect of these proposed amendments on the regulated public. The Department anticipates that the amendments will be adopted within the next three to four months.

6) Will these Proposed Amendments Replace an Emergency Rule Currently in Effect? No.

7) Does this Rulemaking contain an Automatic Repeal Date? No.

8) Do these Proposed Amendments Contain Incorporations By Reference? No.

9) Are there any other Proposed Amendments Pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking neither creates nor expands a state mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Proposed Rulemaking:

Interested persons may present their comments concerning these rules by writing to Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, within 45 days after this edition of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rule was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

May 16, 1989

B) Type of Small Businesses Affected:

Long-term care facilities which are totally or partially licensed as sheltered care facilities.

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

No additional reporting, bookkeeping or other procedures are required for compliance.

D) Types of Professional Skills Necessary for Compliance:

No additional professional skills are necessary for compliance.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

TITLE 77 PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER C: LONG-TERM CARE FACILITIES

PART 330

SHELTERED CARE FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

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330.130	Licensee
330.140	Issuance of an Initial License For a New Facility
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330.220	Information to Be Made Available to the Public By the Department
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330.240	Municipal Licensing
330.250	Ownership Disclosure
330.260	Issuance of Conditional Licenses
330.270	Monitor and Receivership
330.272	Determination to Issue a Notice of Violation or Administrative Warning
330.274	Determination of the Level of a Violation
330.276	Notice of Violation
330.277	Administrative Warning
330.278	Plans of Correction
330.280	Reports of Correction
330.282	Conditions for Assessment of Penalties
330.284	Calculation of Penalties
330.286	Determination to Assess Penalties
330.288	Reduction or Waiver of Penalties
330.290	Quarterly List of Violators
330.300	Alcoholism Treatment Programs In Long-Term Care Facilities
330.310	Department May Survey Facilities Formerly Licensed
330.320	Waivers
330.330	Definitions
330.340	Incorporated and Referenced Materials

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NOTICE OF PROPOSED AMENDMENTS

SUBPART B: ADMINISTRATION

330.510 Administrator

SUBPART C: POLICIES

330.710 Resident Care Policies
330.720 Admission and Discharge Policies
330.730 Contract Between Resident and Facility
330.740 Residents' Advisory Council
330.750 General Policies
330.760 Personnel Policies
330.765 Initial Health Evaluation for Employees
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SUBPART D: PERSONNEL

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SUBPART E: HEALTH SERVICES AND MEDICAL CARE OF RESIDENTS

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SUBPART G: MEDICATIONS

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 330.1920 Dietary Staff in Addition to Director of Food Services
 330.1930 Hygiene of Dietary Staff
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 330.1970 Scheduling of Meals
 330.1980 Menu Planning
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 330.2010 Kitchen Equipment, Utensils, and Supplies
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 330.2820 Applicability of These Standards
 330.2830 Submission of a Program Narrative
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 330.3350 General Building Requirements
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 330.3420 Fire Extinguishers, Electric Miring, and Miscellaneous
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- SUBPART O: DESIGN AND CONSTRUCTION STANDARDS FOR EXISTING SHELTERED CARE FACILITIES
- 330.3610 Site
 330.3620 General Building Requirements
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330.3650 Bath and Toilet Rooms
 330.3660 Living, Dining, and Activity Rooms
 330.3670 Bedrooms
 330.3680 Special Care Room
 330.3690 Kitchen
 330.3700 Laundry Room
 330.3710 Housekeeping and Service Rooms and Storage Space
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SUBPART P: FIRE PROTECTION STANDARDS FOR EXISTING SHELTERED CARE FACILITIES

330.3910 Fire Protection
 330.3920 Fire Department Service and Water Supply
 330.3930 Occupancy and Fire Areas
 330.3940 Exit Facilities and Subdivision of Floor Areas
 330.3950 Stairways, Vertical Openings, and Doorways
 330.3960 Exit and Fire Escape Lights and Directional Signs
 330.3970 Hazardous Areas and Combustible Storage
 330.3980 Fire Alarm and Detection System
 330.3990 Fire Extinguishers, Electric Wiring, and Miscellaneous
 330.4000 Use of Fire Extinguishers, Evacuation Plan, and Fire Drills

SUBPART Q: RESIDENT'S RIGHTS

330.4210 General
 330.4220 Medical and Personal Care Program
 330.4230 Restraints
 330.4240 Abuse and Neglect
 330.4250 Communication and Visitation
 330.4260 Resident's Funds
 330.4270 Residents' Advisory Council
 330.4280 Contract With Facility
 330.4290 Private Right of Action
 330.4300 Transfer or Discharge
 330.4310 Complaint Procedures
 330.4320 Confidentiality
 330.4330 Facility Implementation

SUBPART R: DAY CARE PROGRAMS

330.4510 Day Care in Long-Term Care Facilities

APPENDIX A Interpretation, Components, and Illustrative Services for

Sheltered Care Facilities

APPENDIX B Classification of Distinct Part of a Facility For Different Levels of Service

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APPENDIX C Forms for Day Care in Long-Term Care Facilities
 APPENDIX D Criteria for Activity Directors Who Need Only Minimal Consultation
 TABLE A Disaster Preparedness Parameters--Relative Humidity and Temperature

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 4151-101 et seq., as amended by Public Act 85-968, effective December 9, 1987; Public Act 85-1183, effective August 13, 1988; and Public Act 85-1378, effective September 1, 1988)

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 807, effective March 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 30, p. 933, effective July 28, 1980; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 14547, effective November 8, 1982; amended at 6 Ill. Reg. 14681, effective November 15, 1982; amended at 7 Ill. Reg. 1963, effective January 28, 1983; amended at 7 Ill. Reg. 6973, effective May 17, 1983; amended at 8 Ill. Reg. 15825, effective November 15, 1983; amended at 8 Ill. Reg. 15596, effective August 15, 1984; amended at 8 Ill. Reg. 15941, effective August 17, 1984; codified at 8 Ill. Reg. 19790; amended at 8 Ill. Reg. 24241, effective November 28, 1984; amended at 8 Ill. Reg. 24696, effective December 7, 1984; amended at 9 Ill. Reg. 2952, effective February 25, 1985; amended at 9 Ill. Reg. 10974, effective July 1, 1985; amended at 11 Ill. Reg. 16879, effective October 1, 1987; amended at 12 Ill. Reg. 1017, effective December 24, 1987; amended at 12 Ill. Reg. 16870, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18939, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6562, effective April 17, 1989; amended at 13 Ill. Reg. _____.

NOTE: Italics and capitalization denote statutory language.

SUBPART D: PERSONNEL

Section 330.913 Nursing and Personal Care Assistants

a) Each of the facility's nursing and personal care assistants shall comply with one of the following conditions no later than 45 days after the date of initial employment.

- 1) Enroll in a Basic Nursing Assistant Training Program which has been approved by the Department under its rules governing training programs for nursing assistants and aides (77 Ill. Adm.

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Section 330.913(a)(1) (continued)

Code 395). The program coursework shall be successfully completed by the nursing and personal care assistant no later than 120 days after the date of initial employment, unless the training program is conducted by a community college or other educational institution on a term, semester, or trimester basis.

- 2) Register for the Department's nursing assistant proficiency examination which must be successfully completed no later than 120 days after the date of initial employment.
- 3) Provide documentation of equivalent nursing and personal care assistant training in accordance with the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). Such documentation shall be retained by the facility as part of the employee's personnel record.
- b) Each person employed by the facility as a nursing and personal care assistant shall meet each of the following requirements:
 - 1) Be at least sixteen years of age, of temperate habits and good moral character, honest, reliable and trustworthy.
 - 2) Be able to speak and understand the English language or a language understood by a substantial percentage of the facility's residents.
 - 3) Provide evidence of employment or occupation, if any, and residence for two years prior to initial employment as a nursing and personal care assistant.
 - 4) Have completed at least eight years of grade school or provide proof of equivalent knowledge.
- c) The facility shall certify on a form provided by the Department that each nursing and personal care assistant employed by the facility meets the requirements of this Section. Such form shall be retained by the facility as part of the employee's personnel record.
- d) During inspections of the facility, the Department may require nursing and personal care assistants to demonstrate competency in the principles, techniques, and procedures covered by the basic nursing assistant training program curriculum described in the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). Failure to demonstrate competency of the principles, techniques and procedures shall result in the provision of in-service

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Section 330.913(d) (continued)

training to the individual by the facility. The in-service training shall address all of the basic nursing assistant training principles, techniques, and procedures contained in the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395).

(Source: Added at 13 Ill. Reg. _____, effective _____)

Section 330.916 Student Interns

- a) No person who meets the definition of student intern in Section 330.330 shall be required to complete a current course of training for nursing assistants, or successfully complete the Department's proficiency examination.
- b) The facility may utilize interns to perform basic nursing and personal care assistant practices, but shall not allow interns to provide rehabilitation nursing, in-bed bathing, assistance with skin care, foot care, enemas, or any medical procedure, except under the direct, immediate supervision of a licensed nurse or certified nursing assistant.
- c) No facility shall have more than fifteen percent of its nursing and personal care assistant staff positions held by student interns.

(Source: Added at 13 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part:

Skilled Nursing and Intermediate Care Facilities Code

2) Code Citation:

77 Ill. Adm. Code 300

3) Section Numbers:

300.660
300.665

Proposed Action:

Repeal, New Section
New Section

4) Statutory Authority:

Nursing Home Care Act [Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4151-101 et seq., as amended by Public Act 85-968 (Senate Bill 1322), effective December 9, 1987, Public Act 85-1183 (House Bill 4172), effective August 13, 1988, and Public Act 85-1378 (Senate Bill 2201), effective September 1, 1988]

5) A Complete Description of the Subjects and Issues Involved:

These proposed amendments are part of an effort by the Department of Public Health to consolidate its rules concerning training programs for nursing assistants and aides in long-term care facilities. The consolidated requirements will be contained in a new Part 395. This consolidation of the training program rules in Part 395 should facilitate public understanding of the requirements for nursing assistant training programs. The provisions of this new Part 395 were published as proposed rules in the Illinois Register on December 2, 1988, at 12 Ill. Reg. 19927.

These proposed amendments to Part 300, which governs the licensure of skilled nursing and intermediate care facilities, eliminate the provisions which will be included in Part 395. Most of the current text of Section 300.660 is being replaced and relocated into the new Part 395. The remaining provisions of Section 300.660 are limited to the facilities' responsibility to insure that employed aides are qualified and have completed the required training. The provisions which concern the use of student interns are being incorporated into a new Section 300.665. No major substantive changes are being made in the actual content of these rules. Similar amendments to Parts 330, 350, and 390, which govern the licensure of other types of long-term care facilities, are also being proposed in this issue of the Illinois Register.

These proposed changes were also included in a set of proposed amendments which were published in the Illinois Register on December 23, 1988, at 12

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Ill. Reg. 21333. The changes related to aide training programs were withdrawn from that set of proposed amendments prior to its adoption. That set of proposed amendments was published in the Illinois Register as adopted on April 7, 1989, at 13 Ill. Reg. 4684.

The Department believes that there will be little, if any, economic effect of these proposed amendments on the regulated public. The Department anticipates that the amendments will be adopted within the next three to four months.

6) Will these Proposed Amendments Replace an Emergency Rule Currently in Effect? No.

7) Does this Rulemaking contain an Automatic Repeal Date? No.

8) Do these Proposed Amendments Contain Incorporations By Reference? No.

9) Are there any other Proposed Amendments Pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking neither creates nor expands a state mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Proposed Rulemaking:

Interested persons may present their comments concerning these rules by writing to Robert John Kane, Division of Governmental Affairs, Illinois Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, within 45 days after this edition of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 3.01 and 4.03 of the Administrative Procedure Act, any small business may present their comments in writing to Robert John Kane at the above address.

Any small business (as defined in Section 3.10 of the Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rule was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

May 16, 1989

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SUBPART B: ADMINISTRATION

300.510	Administrator
300.610	Resident Care Policies
300.620	Admission and Discharge Policies
300.630	Contract Between Resident and Facility
300.640	Residents' Advisory Council
300.650	Personnel Policies
300.655	Initial Health Evaluation for Employees
300.660	Nursing Assistants Basic Nursing Assistant Training Program
300.665	Student Interns
300.670	Disaster Preparedness
300.680	Restraints and Safety Devices
300.690	Serious Incidents and Accidents

SUBPART D: PERSONNEL

300.810	General
300.820	Categories of Personnel
300.830	Consultation Services
300.840	Personnel Policies
300.1010	SUBPART E: MEDICAL AND DENTAL CARE OF RESIDENTS

300.1010	Medical Care Policies
300.1020	Communicable Disease Policies
300.1025	Tuberculin Skin Test Procedures
300.1030	Medical Emergencies
300.1040	Behavior Emergencies
300.1050	Dental Standards

SUBPART F: NURSING AND PERSONAL CARE

300.1210	General Requirements for Nursing and Personal Care
300.1220	Supervision of Nursing Services
300.1230	Staffing
300.1240	Additional Requirements

SUBPART G: RESIDENT CARE SERVICES

300.1410	Activity Program
300.1420	Specialized Rehabilitation Services
300.1430	Work Programs

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SUBPART H: MEDICATIONS

300.1610	Medication Policies and Procedures
300.1620	Conformance With Physician's Orders
300.1630	Administration of Medication
300.1640	Labeling and Storage of Medications
300.1650	Control of Medications

SUBPART I: RESIDENT AND FACILITY RECORDS

300.1810	Resident Record Requirements
300.1820	Content of Medical Records
300.1830	Records Pertaining to Residents' Property
300.1840	Retention and Transfer of Resident Records
300.1850	Other Resident Record Requirements
300.1860	Staff Responsibility for Medical Records
300.1870	Retention of Facility Records
300.1880	Other Facility Record Requirements

SUBPART J: FOOD SERVICE

300.2010	Director of Food Services
300.2020	Dietary Staff in Addition to Director of Food Services
300.2030	Hygiene of Dietary Staff
300.2040	Diet Orders
300.2050	Adequacy of Diet and Meal Pattern
300.2060	Therapeutic Diets
300.2070	Scheduling Meals
300.2080	Menu Planning
300.2090	Food Preparation and Service
300.2100	Food Handling Sanitation
300.2110	Kitchen Equipment, Utensils, and Supplies

SUBPART K: MAINTENANCE, HOUSEKEEPING, AND LAUNDRY

300.2210	Maintenance
300.2220	Housekeeping
300.2230	Laundry Services

SUBPART L: FURNISHINGS, EQUIPMENT, AND SUPPLIES

300.2410	Furnishings
300.2420	Equipment and Supplies
300.2430	Sterilization of Equipment and Supplies

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SUBPART M: WATER SUPPLY AND SEWAGE DISPOSAL

300.2610
300.2620
300.2630
300.2640

Codes
Water Supply
Sewage Disposal
Plumbing

SUBPART N: DESIGN AND CONSTRUCTION STANDARDS
FOR NEW INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

300.2810
300.2820
300.2830
300.2840
300.2850
300.2860
300.2870
300.2880
300.2890
300.2900
300.2910
300.2920
300.2930
300.2940

Applicability of these Standards
Codes and Standards
Preparation of Drawings and Specifications
Site
Administration and Public Areas
Nursing Unit
Dining, Living, Activities Rooms
Therapy and Personal Care
Service Departments
General Building Requirements
Structural
Mechanical Systems
Plumbing Systems
Electrical Systems

SUBPART O: DESIGN AND CONSTRUCTION STANDARDS
FOR EXISTING INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

300.3010
300.3020
300.3030
300.3040
300.3050
300.3060
300.3070
300.3080
300.3090
300.3100
300.3110
300.3120
300.3130
300.3140

Applicability
Codes and Standards
Preparation of Drawings and Specifications
Site
Administration and Public Areas
Nursing Unit
Living, Dining, Activities Rooms
Treatment and Personal Care
Service Departments
General Building Requirements
Structural
Mechanical Systems
Plumbing Systems
Electrical Requirements

SUBPART P: RESIDENT'S RIGHTS

300.3210
300.3220

General
Medical and Personal Care Program

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300.3230
300.3240
300.3250
300.3260
300.3270
300.3280
300.3290
300.3300
300.3310
300.3320
300.3330

Restraints
Abuse and Neglect
Communication and Visitation
Resident's Funds
Residents' Advisory Council
Contract With Facility
Private Right of Action
Transfer or Discharge
Complaint Procedures
Confidentiality
Facility Implementation

SUBPART Q: SPECIALIZED LIVING FACILITIES FOR THE MENTALLY ILL

300.3410
300.3420
300.3430
300.3440
300.3450
300.3460
300.3470
300.3480
300.3490
300.3500
300.3510
300.3520
300.3530
300.3540
300.3550
300.3560
300.3570
300.3580
300.3590
300.3600
300.3610
300.3620
300.3630

Application of Other Divisions of These Minimum Standards, Rules and Regulations
Administrator
Policies
Personnel
Resident Living Services Medical and Dental Care
Resident Services Program
Psychological Services
Social Services
Recreational and Activities Services
Individual Treatment Plan
Health Services
Medical Services
Dental Services
Optometric Services
Audiometric Services
Podiatric Services
Occupational Therapy Services
Nursing and Personal Care
Resident Care Services
Record Keeping
Food Service
Furnishings, Equipment and Supplies (New and Existing Facilities)
Design and Construction Standards (New and Existing Facilities)

SUBPART R: DAYCARE PROGRAMS

300.3710

Day Care in Long-Term Care Facilities

APPENDIX A

Interpretation, Components, and Illustrative Services for Intermediate Care Facilities and Skilled Nursing Facilities

APPENDIX B

Classification of Distinct Part of a Facility for Different Levels of Service

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APPENDIX C	Federal Requirements Regarding Patients'/Residents' Rights
APPENDIX D	Forms for Day Care in Long-Term Care Facilities
APPENDIX E	Criteria for Activity Directors Who Need Only Minimal Consultation
TABLE A	Sound Transmission Limitations in New Skilled Nursing and Intermediate Care Facilities
TABLE B	Pressure Relationships and Ventilation Rates of Certain Areas for New Intermediate Care Facilities and Skilled Nursing Facilities
TABLE C	Construction Types and Sprinkler Requirements for Existing Skilled Nursing Facilities/Intermediate Care Facilities
TABLE D	Disaster Preparedness Parameters - Relative Humidity and Temperature

AUTHORITY:

Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4151-101 et seq., as amended by Public Act 85-968, effective December 9, 1987; Public Act 85-1183, effective August 13, 1988; and Public Act 85-1378, effective September 1, 1988)

SOURCE:

Emergency rules adopted at 4 Ill. Reg. 10, p. 1066, effective March 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 30, p. 311, effective July 28, 1980; emergency amendment at 6 Ill. Reg. 3229, effective March 8, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6454, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 11631, effective September 14, 1982; amended at 6 Ill. Reg. 14550 and 14554, effective November 8, 1982; amended at 6 Ill. Reg. 14684, effective November 15, 1982; amended at 7 Ill. Reg. 285, effective December 22, 1982; amended at 7 Ill. Reg. 1972, effective January 28, 1983; amended at 7 Ill. Reg. 8579, effective July 11, 1983; amended at 7 Ill. Reg. 15831, effective November 10, 1983; amended at 7 Ill. Reg. 15864, effective November 15, 1983; amended at 7 Ill. Reg. 16992, effective December 14, 1983; amended at 8 Ill. Reg. 15599, 15603, and 15606, effective August 15, 1984; amended at 8 Ill. Reg. 15947, effective August 17, 1984; amended at 8 Ill. Reg. 16999, effective September 5, 1984; codified at 8 Ill. Reg. 19766; amended at 8 Ill. Reg. 24186, effective November 29, 1984; amended at 8 Ill. Reg. 24668, effective December 7, 1984; amended at 8 Ill. Reg. 25102, effective December 14, 1984; amended at 9 Ill. Reg. 132, effective December 26, 1984; amended at 9 Ill. Reg. 4087, effective March 15, 1985; amended at 9 Ill. Reg. 16927, effective July 1, 1985; amended at 11 Ill. Reg. 16927, effective October 1, 1987; amended at 12 Ill. Reg. 1052, effective December 24, 1987; amended at 12 Ill. Reg. 16811, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18477, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 4684, effective March 24, 1989; amended at 13 Ill. Reg. _____, effective _____.

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NOTE: Italics and capitalization denote statutory language.

SUBPART C: POLICIES

Section 300.660

Nursing Assistants

~~Basic Nursing Assistant Training Program~~

a) Each of the facility's nursing assistants shall comply with one of the following conditions no later than 45 days after the date of initial employment.

- 1) Enroll in a Basic Nursing Assistant Training Program which has been approved by the Department under its rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). The program coursework shall be successfully completed by the nursing assistant no later than 120 days after the date of initial employment, unless the training program is conducted by a community college or other educational institution on a term, semester, or trimester basis.
- 2) Register for the Department's nursing assistant proficiency examination which must be successfully completed no later than 120 days after the date of initial employment.
- 3) Provide documentation of equivalent nursing assistant training in accordance with the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). Such documentation shall be retained by the facility as part of the employee's personnel record.

b) Each person employed by the facility as a nursing assistant shall meet each of the following requirements:

- 1) Be at least sixteen years of age, of temperate habits and good moral character, honest, reliable and trustworthy.
- 2) Be able to speak and understand the English language or a language understood by a substantial percentage of the facility's residents.
- 3) Provide evidence of employment or occupation, if any, and residence for two years prior to initial employment as a nursing assistant.
- 4) Have completed at least eight years of grade school or provide

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Section 300.660(b)(4) (continued)

proof of equivalent knowledge.

- c) The facility shall certify on a form provided by the Department that each nursing assistant employed by the facility meets the requirements of this Section. Such form shall be retained by the facility as part of the employee's personnel record.
- d) During inspections of the facility, the Department may require nursing assistants to demonstrate competency in the principles, techniques, and procedures covered by the basic nursing assistant training program curriculum described in the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395). Failure to demonstrate competency of the principles, techniques and procedures shall result in the provision of in-service training to the individual by the facility. The in-service training shall address all of the basic nursing assistant training principles, techniques, and procedures contained in the rules governing training programs for nursing assistants and aides (77 Ill. Adm. Code 395).
- e)
 - 1) Each facility shall ensure that all persons employed as nursing assistants comply with one of the following conditions within 45 days of initial employment: (B, C)
 - A) Enroll in a 120-hour Department of Public Health approved Basic Nursing Assistant Training Program. Such course shall be successfully completed within 120 days of initial employment.
 - B) Attend a recognized Nursing Assistant Training Program registered with the Department of Public Health and successfully complete the Department's proficiency examination.
 - C) Successfully complete the Department's proficiency examination; or
 - D) Prove exemption from training, by prior work experience as outlined in Section 3-206 of the Act (continuously employed at same facility for one (1) year or employed at more than one (1) facility for two (2) years as a nursing assistant prior to March 1, 1980).
 - 2) No person who meets the definition of student intern shall be required to complete a current course of training for nursing

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Section 300.660 (continued)

- ~~assistants, or successfully complete the Department's proficiency examination.~~
- 3) ~~Interns may be utilized for the more basic nursing assistant practices, but will not be allowed to provide rehabilitation nursing, in-bed bathing, assistance with skin care, foot care, enemas or any medical procedure, except under the direct, immediate supervision of a licensed nurse or certified nursing assistant.~~
- 4) ~~No facility will be allowed to have more than 15% of its nursing assistant work force composed of student interns.~~
- b) ~~Equivalency may be established by any one of the following:~~
 - 1) ~~Documentation of successful completion of a training course approved by another state as evidenced by a diploma or certificate.~~
 - 2) ~~Documentation of at least one year of continuous employment as a nursing assistant in one licensed hospital/Home Health Agency between March 1, 1975, and March 1, 1980, as evidenced by personnel records.~~
 - 3) ~~Documentation of employment as a nursing assistant for two or more years in more than one licensed hospital/Home Health Agency between March 1, 1975, and March 1, 1980, as evidenced by personnel records.~~
 - 4) ~~Documentation of successful completion of a nursing arts course in an accredited nurse training program as evidenced by a diploma, certificate or other written verification from the school.~~
 - 5) ~~Documentation of successful completion of a nursing assistant training course approved by the Illinois Board of Education between March 1, 1970, and March 1, 1980, as evidenced by a diploma or certificate. (A, B)~~
 - 6) ~~Documentation of one year of employment as a nursing assistant in one facility with an interruption due to sick leave or education leave not exceeding six (6) weeks during the year ending March 1, 1980.~~
 - 7) ~~Requests to establish equivalency should be submitted to the~~

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NOTICE OF PROPOSED AMENDMENTS

Section 300.660 (continued)

- ~~Office of Health Regulation with accompanying documentation.~~
- ~~c) Criteria for A State Approved Basic Nursing Assistant Training Program are as follows:~~
- ~~1) Application Procedures--~~
~~The following information must be furnished to the Department at least sixty (60) days in advance of the training program--~~
~~Programs submitted and approved under the Home Health Agency Licensing Act (Ill. Rev. Stat. 1982, ch. 111 1/2, par. 280, et seq.) shall be deemed to meet this part. Each facility providing its own training must apply for individual program approval. Retrospective approval will not be granted.~~
 - ~~2) Program rationale; i.e., philosophy, purpose and brief summary that identifies sponsoring agency, and faculty qualifications.~~
 - ~~3) Complete outline including program title, objectives, content, and methodology delineated by hour. The instructor has flexibility of teaching content in desired outline.~~
 - ~~4) Location and scheduled dates of program (including future dates). If programs are canceled or rescheduled for any reason, the Department must be notified prior to delivery date for purposes of monitoring.~~
 - ~~5) A copy of the evaluation tool must be included. The evaluation tool must evaluate the objectives, content, clinical performance and instructors.~~
 - ~~6) Submitted materials will be reviewed by the Department and the program sponsor will be notified of the Department's action. If the program is not approved, the reason for this decision will be given to the program sponsor.~~
 - ~~7) If a program is not approved, the program sponsor may, after making the appropriate modifications, reapply for approval.~~
 - ~~8) Orientation to the specific policies of the employing agency shall be in addition to the one hundred twenty (120) hours of instruction.~~
 - ~~9) Any change in content, objectives, or instructional staff must be submitted for review.~~

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Section 300.660 (continued)

- ~~10) All approved training programs must be resubmitted on an annual basis for continued approval. In the resubmission process, please refer to the number assigned by the Department.~~
- ~~11) --~~
- ~~A) The course instructor shall be a registered nurse with a current Illinois license who has no other duties while engaged in the training program, and who meets one of the following qualifications:~~
- ~~1) Valid Illinois teaching certificate or Community College approved instructor with at least one semester of teaching experience.~~
 - ~~11) Verification of attendance at the Department Train the Trainer Workshop (Licensed Practical Nurses (LPN's) who attended prior to the effective date of the Act shall qualify).~~
 - ~~111) Evidence of at least one semester of formal teaching experience.~~
 - ~~B) Instructors' vitae must be submitted.~~
 - ~~12) The basic content must be presented in a minimum time frame of three (3) weeks, but not to exceed a maximum of one hundred twenty (120) days unless it is being done by a recognized educational institution on a term, semester or trimester basis. A ratio of two (2) hours of theory including supervised laboratory to one (1) hour of supervised clinical practice (direct nursing care) must be reflected in the one hundred twenty (120) hours minimum of training. Term, semester and trimester courses may be submitted by an educational institution. The program must include designated hours for clinical practice and evidence of agency agreements.~~
 - ~~d) Course Requirements--~~
~~The Basic Nursing Assistant Training Program shall include at a minimum:~~
 - ~~1) Module I Orientation.~~
 - ~~A) Functions of health care facilities. Objectives: Upon completion of this unit of instruction, the student will be able to:~~

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Section 300.660 (continued)

Section 300.660 (continued)

- ~~i) differentiate between the hospital, long term care facility, and home health aide programs as to their basic purposes and what each expects of the nursing assistant.~~
- ~~ii) define the functions of the nursing assistant and be aware of the ethical implications and the legal limitations.~~
- ~~iii) develop a beginning understanding and appreciation of the responsibility of the nursing assistant as a member of the health care team.~~
- ~~B) Home Health Agencies and the health care professions. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) discuss the purpose and organization of a home health agency.~~
 - ~~ii) identify the members of the home health care team and their respective tasks.~~
 - ~~iii) apply learned basic nursing procedures to the home setting making appropriate modifications.~~
- ~~C) Philosophy of patient care. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) understand the uniqueness and reward of caring for the geriatric patient.~~
 - ~~ii) demonstrate an awareness of the ethics involved in the position.~~
 - ~~iii) develop an understanding of the patient family relationship.~~
- ~~D) The role of the multidisciplinary health care team. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) define the role of the nursing assistant in the long term care facility.~~

- ~~ii) identify and discuss roles of the multidisciplinary team and the integration of services for the total care of the patient.~~
- ~~iii) identify the "chain of command" in the organizational structure of a long term care facility.~~
- ~~E) Personal qualities of the nursing assistant. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) meet standards of appearance and general behavior.~~
 - ~~ii) be aware of the importance of punctuality and confidentiality.~~
 - ~~iii) demonstrate an awareness of the empathy and compassion, particularly to the elderly.~~
- ~~F) Duties of the nurse assistant. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) develop an understanding of nursing assistant duties.~~
 - ~~ii) develop an understanding of the why's of patient care.~~
 - ~~iii) define the functions of the nursing assistant and be aware of legal implications.~~
- ~~G) Medical terminology. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) develop an awareness of the very basic abbreviations and symbols utilized in medical terminology.~~
 - ~~ii) meet the written standards for charting on the medical record.~~
 - ~~iii) Recording. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) demonstrate an awareness of the principles of accurate observation and recording.~~

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Section 300.660 (continued)

- ~~ii) discuss the various forms utilized in the medical record system.~~
- ~~2) Module II Introduction to the patient.~~
 - ~~A) Communication and interpersonal relationships with patients, families and others. Objectives: Upon completion of this unit of instruction, the student will be able to:

 - ~~i) develop an awareness of appropriate communication between staff/patients, staff/families, families/patient, staff/staff.~~
 - ~~ii) develop communication techniques.~~
 - ~~iii) demonstrate the ability to understand verbal and nonverbal communication.~~~~
 - ~~B) Psychological needs of patient and family. Objectives: Upon completion of this unit of instruction, the student will be able to:

 - ~~i) develop an awareness of sensitivity to the patient's need for feelings of self worth.~~
 - ~~ii) demonstrate the ability to listen.~~
 - ~~iii) understand the necessity to develop and maintain harmony between patient and family.~~~~
 - ~~C) Normal growth and development. Objectives: Upon completion of this unit of instruction, the student will be able to:

 - ~~i) list and describe Maslow's hierarchy of needs.~~
 - ~~ii) describe the continuum of life cycle.~~
 - ~~iii) develop an awareness of normalcy and deviations.~~~~
- ~~3) Module III Your working environment.~~
 - ~~A) Cleanliness in the health care setting and patient homes. Objectives: Upon completion of this unit of instruction,~~

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Section 300.660 (continued)

- ~~the student will be able to:

 - ~~i) define the principles of medical asepsis.~~
 - ~~ii) demonstrate an awareness of the importance of cleanliness in health care institutions.~~
 - ~~iii) demonstrate the ability to modify medical asepsis technique for the home setting.~~~~
- ~~B) Principles of handwashing. Objectives: Upon completion of this unit of instruction, the student will be able to:

 - ~~i) discuss the need for handwashing before and after each task and before and after direct patient contact.~~
 - ~~ii) demonstrate that an understanding of good handwashing technique will prevent the spread of disease.~~
 - ~~iii) demonstrate the ability to wash hands using the learned technique.~~~~
- ~~C) Principles of disinfection. Objectives: Upon completion of this unit of instruction, the student will be able to:

 - ~~i) list the methods of disinfection.~~
 - ~~ii) demonstrate an awareness of handling disinfected articles.~~
 - ~~iii) differentiate between "clean" and "dirty."~~~~
- ~~D) Principles of sterilization. Objectives: Upon completion of this unit of instruction, the student will be able to:

 - ~~i) explain the relationship between microorganism and infection control.~~
 - ~~ii) list the conditions necessary for microorganism growth.~~
 - ~~iii) develop an awareness of the process of killing all bacteria.~~~~
- ~~E) Techniques of disinfection. Objectives: Upon completion~~

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Section 300.660 (continued)

- ~~of this unit of instruction, the student will be able to:~~
- ~~i) discuss the various methods of disinfecting.~~
- ~~ii) develop an awareness of relevant time necessary for disinfection.~~
- ~~iii) list articles that can be safely disinfected.~~
- ~~f) Maintaining equipment and supplies. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) develop an understanding of the proper usage of equipment used in the personal/nursing care of residents.~~
 - ~~ii) demonstrate proper usage, cleaning and storing of equipment.~~
 - ~~iii) develop an awareness of the reporting system relevant to proper maintenance of equipment.~~
- ~~4) Module IV Safety.~~
 - ~~A) Body mechanics. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) discuss techniques of proper body mechanics.~~
 - ~~ii) demonstrate good body mechanics for the benefit of the patient and nursing assistant.~~
 - ~~iii) relate use of body mechanics to basic musculo-skeletal anatomy.~~
 - ~~B) Fire safety. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) identify potential fire hazards.~~
 - ~~ii) identify and apply rules for safety, fire and disaster.~~
 - ~~iii) state his/her role in facility's fire and disaster.~~

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Section 300.660 (continued)

- ~~plan.~~
- ~~C) Disaster. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) identify designated supervisory personnel in the event of disaster.~~
 - ~~ii) develop an understanding of the disaster manual.~~
 - ~~iii) state his/her role in facility's safety, fire and disaster plan.~~
- ~~5) Module V The patient's unit. Bedmaking procedures—unoccupied and occupied. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~A) identify the patient's need for a clean and comfortable environment.~~
 - ~~B) identify the purpose of and procedure for making the unoccupied and occupied bed.~~
 - ~~C) demonstrate proper bedmaking procedure.~~
- ~~6) Module VI Lifting, moving and transporting patients.~~
 - ~~A) In bed. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) describe briefly the musculo-skeletal system.~~
 - ~~ii) realize needs for motion in joints and muscle activity.~~
 - ~~iii) maintain correct body alignment.~~
 - ~~B) Ambulatory. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) safely ambulate patients.~~
 - ~~ii) demonstrate proper body mechanics.~~
 - ~~iii) develop an awareness of the physical ability of each~~

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Section 300.660 (continued)

- ~~patient.~~
- ~~C) Wheelchair. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
- ~~i) apply safety principles involved in transporting patient wheelchair.~~
 - ~~ii) demonstrate proper body mechanics.~~
 - ~~iii) provide for privacy when transferring the patient from bed to wheelchair.~~
- ~~D) Stretcher. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
- ~~i) identify and apply rules for safety for patient transfer.~~
 - ~~ii) demonstrate good body mechanics.~~
 - ~~iii) provide for privacy when transferring the patient from bed to stretcher.~~
- ~~7) Module VII Basic Anatomy.~~
- ~~A)~~
- ~~i) Anatomy of the Skeletal System.~~
 - ~~ii) Anatomy of the Circulatory System.~~
 - ~~iii) Anatomy of the Digestive System.~~
 - ~~iv) Anatomy of the Respiratory System.~~
 - ~~v) Anatomy of the Urinary System.~~
 - ~~vi) Anatomy of the Muscular System.~~
 - ~~vii) Functioning of the human body as related to the disease process.~~
- ~~B) Objectives: Upon completion of this unit of instruction, the student will be able to:~~

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Section 300.660 (continued)

- ~~i) develop an understanding of human anatomy and its relationship to normal function.~~
 - ~~ii) identify and discuss simple disease processes.~~
 - ~~iii) explain how body systems work together.~~
- ~~8) Module VIII Personal care of the patient.~~
- ~~A)~~
- ~~i) Oral hygiene.~~
 - ~~ii) Bathing procedures.~~
 - ~~iii) Care of the back, feet and skin.~~
 - ~~iv) Observing and reporting.~~
- ~~B) Objectives: Upon completion of this unit of instruction, the student will be able to:~~
- ~~i) identify basic human needs (physical, emotional, social and religious) of the patient.~~
 - ~~ii) demonstrate the ability to recognize basic human needs in patient behavior.~~
 - ~~iii) demonstrate proper medical asepsis technique.~~
 - ~~iv) demonstrate methods to detect incipient or manifest decubitis ulcers.~~
 - ~~v) demonstrate measures to prevent decubitis ulcers, such as proper positioning and turning.~~
 - ~~vi) identify the patient's need for a clean environment.~~
 - ~~vii) observe and report care given.~~
- ~~9) Nutrition.~~
- ~~A) Diets therapeutic diets. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
- ~~i) describe briefly the use of basic nutrients and fluids.~~

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Section 300.660 (continued)

- ~~by the body.~~
- ~~ii) list the basic four groups and name daily requirements of each.~~
- ~~iii) identify modified diets and understand the reasons for modification.~~
- ~~B) Feeding techniques. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) describe briefly the anatomy of digestion.~~
 - ~~ii) develop an awareness of the patient's eating limitations.~~
 - ~~iii) serve and assist patient with feeding.~~
- ~~C) Nourishments. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) develop an understanding of intermittent nourishments and dietary supplements.~~
 - ~~ii) demonstrate the ability to properly distribute nourishments.~~
 - ~~iii) accurately report and record diet and fluid intake.~~
- ~~10) Module X Fluid balance.~~
 - ~~A) Measuring fluid intake and output. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) describe briefly the anatomy of elimination.~~
 - ~~ii) demonstrate the ability to measure intake and output.~~
 - ~~iii) accurately report and record intake and output.~~
 - ~~B) Forcing and restricting fluids. Objectives: Upon completion of this unit of instruction, the student will be able to:~~

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Section 300.660 (continued)

- ~~i) identify problems associated with bowel and bladder management.~~
- ~~ii) develop an understanding of fluid balance in the body.~~
- ~~iii) accurately report and record patient's fluid intake.~~
- ~~C) Specimen collection. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) describe briefly the anatomy related to body discharge and elimination.~~
 - ~~ii) demonstrate how to collect stool, urine, and other specimens.~~
 - ~~iii) accurately report and record urinary, fecal, and other output.~~
- ~~11) Module XI Observing and recording vital signs.~~
 - ~~A) i) Taking the temperature.~~
 - ~~ii) Taking pulse.~~
 - ~~iii) Taking respirations.~~
 - ~~iv) Taking blood pressure.~~
 - ~~v) Recording vital signs.~~
- ~~B) Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) state the meaning and importance of temperature, pulse, respirations, and blood pressure.~~
 - ~~ii) demonstrate how to properly measure temperature, pulse, respirations, and blood pressure.~~
 - ~~iii) accurately report and record temperature, pulse, respirations, and blood pressure.~~

Section 300.660 (continued)

- ~~-12) Module XII Supportive care.-~~
- ~~A) Heat applications. Objectives: Upon completion of this unit of instruction, the student will be able to:-~~
- ~~i) describe the various methods of heat application.-~~
 - ~~ii) demonstrate the use of safety measures involved in applying hot applications.-~~
 - ~~iii) report and record treatment given.-~~
- ~~B) Cold applications. Objectives: Upon completion of this unit of instruction, the student will be able to:-~~
- ~~i) describe the various methods of cold application.-~~
 - ~~ii) demonstrate the use and safety measures involved in applying cold applications.-~~
 - ~~iii) report and record treatment given.-~~
- ~~C) Enemas. Objectives: Upon completion of this unit of instruction, the student will be able to:-~~
- ~~i) describe briefly the anatomy of elimination.-~~
 - ~~ii) demonstrate how to administer an enema.-~~
 - ~~iii) accurately report and record the procedures and results.-~~
- ~~D) The vaginal douche external and internal. Objectives: Upon completion of this unit of instruction, the student will be able to:-~~
- ~~i) describe briefly the anatomy of reproductive system.-~~
 - ~~ii) demonstrate the procedure of administering an external and internal douche.-~~
 - ~~iii) accurately report and record the procedure.-~~
- ~~E) Catheters and tubing Objectives: Upon completion of this~~

Section 300.660 (continued)

- ~~-unit of instruction, the student will be able to:-~~
- ~~i) develop a basic understanding of the use of catheters and tubing.-~~
 - ~~ii) discuss the use of specific catheters and tubing.-~~
 - ~~iii) develop an understanding of the maintenance and storage of catheters and tubing.-~~
- ~~-13) Module XIII Fundamentals of Rehabilitation Nursing.-~~
- ~~A) Philosophy of rehabilitation nursing. Objectives: Upon completion of this unit of instruction, the student will be able to:-~~
- ~~i) discuss the intrinsic worth of affected persons.-~~
 - ~~ii) develop a beginning understanding of the fundamentals of rehabilitation.-~~
 - ~~iii) identify methods of treating the whole patient for restoration of function.-~~
- ~~B) Principles of rehabilitation nursing. Objectives: Upon completion of this unit of instruction, the student will be able to:-~~
- ~~i) demonstrate an understanding of the concepts of rehabilitation nursing.-~~
 - ~~ii) identify the four cardinal principles of rehabilitation nursing.-~~
 - ~~iii) develop an awareness of the treatment process of rehabilitation as well as the legal implications.-~~
- ~~C) Concepts of activities of daily living. Objectives: Upon completion of this unit of instruction, the student will be able to:-~~
- ~~i) describe and discuss the use of adaptive tools for the disabled person.-~~
 - ~~ii) develop an awareness of sensitivity to the patient's~~

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Section 300.660 (continued)

Section 300.660 (continued)

- ~~need for feelings of self-esteem.~~
- ~~iii) motivate the patient to work toward independence and self care.~~
- ~~14) Module XIV Patient care planning.~~
 - ~~A) i) Patient admission.~~
 - ~~ii) Patient transfer.~~
 - ~~iii) Patient discharge.~~
 - ~~B) Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) be aware of the emotional implications of admission, transfer, and discharge.~~
 - ~~ii) demonstrate the procedures for admission, transfer, and discharge.~~
 - ~~iii) observe, report, and record accurately.~~
- ~~15) Module XV The patient in isolation.~~
 - ~~A) Isolation techniques. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) discuss communicable diseases and the nature of isolation techniques.~~
 - ~~ii) differentiate between "clean" and "dirty."~~
 - ~~iii) discuss the difference between regular and reverse isolation procedures.~~
 - ~~B) Physiological aspects of isolation. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) demonstrate isolation precautions and procedures.~~
 - ~~ii) demonstrate isolation procedures including~~
 - ~~handwashing, masking, gowning, food and elimination precautions.~~
 - ~~iii) accurately report and record isolation procedures.~~
 - ~~C) Psychological aspects of isolation. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) be aware and empathetic to the patient's fear and loneliness.~~
 - ~~ii) identify untoward behavior of the isolated patient.~~
 - ~~iii) accurately observe and record patient's emotional reaction to the isolation process.~~
 - ~~D) Isolation in the home. Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) apply learned isolation techniques making necessary modifications for home care.~~
 - ~~ii) communicate effectively with the patient and family relevant to the isolation process.~~
 - ~~iii) accurately observe, report, and record the isolation techniques.~~
- ~~16) Module XVI Care of the terminally ill patient.~~
 - ~~A) i) Psychological needs of the patient.~~
 - ~~ii) Psychological needs of the family.~~
 - ~~B) Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) identify and describe the rights of the dying patient and his/her family.~~
 - ~~ii) discuss attitudes and feelings about death and dying.~~
 - ~~iii) describe the physical and psychological changes in the~~

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NOTICE OF PROPOSED AMENDMENTS

Section 300.660 (continued)

- ~~patient as death approaches.~~
- ~~iv) discuss the grieving process of the patient and family.~~
- ~~17) Module XVII Care of the body.~~
 - ~~A) Postmortem care.~~
 - ~~B) Objectives: Upon completion of this unit of instruction, the student will be able to:~~
 - ~~i) develop an awareness for respect for the body after death occurs.~~
 - ~~ii) develop an understanding for good body alignment after death.~~
 - ~~iii) demonstrate nursing care after death.~~
- ~~e) Evaluation~~
 - ~~Upon successful completion of the Basic Nursing Assistant Training Program, the student must show competency of nursing skills by return demonstration as well as pass a written examination encompassing theory and skills taught.~~
- ~~f) Monitoring~~
 - ~~The Illinois Department of Public Health shall have the option of monitoring the training program. If a monitor finds the training to be inadequate relative to the materials submitted to the Department's Review Committee, program approval may be rescinded.~~
- ~~g) Certificates~~
 - ~~1) Proof of successful completion of the approved program necessitates the sponsoring organization to award certificates to the trainees. Certificates must be sent to the Department where they will be validated. A list of names, with Social Security numbers, course completion date, and program approval number, must accompany submitted certificates. The Department will return the certificates to the sponsor(s) for distribution.~~
 - ~~2) The following minimum information must be typed on the certificates before they are sent to the Department for~~

DEPARTMENT OF PUBLIC HEALTH

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Section 300.660 (continued)

- ~~validation:~~
 - ~~A) Name of the trainee and Social Security number.~~
 - ~~B) Title: Basic Nursing Assistant Training Program.~~
 - ~~C) Identification number of the program.~~
- ~~3) Successful completion of the course does not imply "certification" of the nursing assistant by the State. It only indicates that the person has successfully completed the Basic Nursing Assistant Training Program and can be employed by licensed long term care facilities as a nursing assistant.~~
- ~~h) Application for approval of programs~~
 - ~~1) Requests for approval of programs and other related correspondence are to be submitted to:~~
 - ~~Illinois Department of Public Health~~
 - ~~Office of Health Regulation~~
 - ~~555 West Jefferson Street~~
 - ~~Springfield, Illinois 62761~~
 - ~~2) It will not be necessary for any course, currently approved under criteria in effect at the time these revised criteria for Basic Nursing Assistant Training Programs become effective, to make any changes in program content until such time as a review by the Department indicates the revisions to the program content are needed to keep the program in compliance with the rules. Any program determined to need changes will be notified, in writing, by the Department. Unless and until such written notification is received, there is no need to contact the Department concerning continued approval of a program.~~
- ~~1) Recognized Training Program~~
 - ~~1) Any licensed long term care facility may teach a recognized training program for prospective nursing assistants which can be individualized for each employee and can be taught by any person or persons in the facility.~~
 - ~~2) Any person who attends a recognized training program must successfully pass the Department's proficiency examination before being permitted to function as a certified nursing~~

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NOTICE OF PROPOSED AMENDMENTS

Section 300.660 (continued)

~~assistant.~~

- ~~3) Recognized training programs shall be registered with the Illinois Department of Public Health by letter, and must state that, as a minimum, the modules in subsection (d) of this Section will be taught wholly or in part, give the name of the instructor and give notice that the program is operational.~~
- ~~4) Recognized training programs must, as a minimum, provide all or part of the course content of an approved Department training program such as in subsection (d) of this Section.~~
- ~~3) Proficiency Examination for Nursing Assistants—~~
 - ~~1) Any person employed as a nursing assistant may elect and request to take a proficiency examination in lieu of a course of training as required under Section 3-206(a)(5) of the Act.~~
 - ~~2) The person must meet the requirements of Section 3-206(a) (1-4) of the Act and be or will be employed as a nursing assistant.~~
 - ~~3) A completed proficiency examination application must be presented at the time of the examination on forms provided by the Department.~~
 - ~~4) The proficiency examination will be offered monthly, or more often if the number of applicants requires it, in each of the Department's Regions at a location determined by each Regional Office. The Department will establish and announce the dates and times for the examinations.~~
 - ~~5) The examination will consist of written questions from the approved curriculum as shown in subsection (d) of this Section. The examination consists of four (4) sections. An examinee must score 70% or more on each section in order to successfully pass the section. Notice of Pass or Fail will be sent to the examinee and the employer. Only those sections previously failed must be retaken during subsequent attempts to pass the entire proficiency examination.~~
 - ~~6) An examinee who fails the proficiency examination three (3) times within the first forty-five (45) days of employment must enroll in and complete an approved course of instruction in~~

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Section 300.660 (continued)

~~order to become a qualified nursing assistant in accordance with Section 3-206 of the Act.~~

(Source: Section repealed, new Section adopted at 13 Ill. Reg. _____, effective _____.)

Section 300.665 Student Interns

- a) No person who meets the definition of student intern in Section 300.330 shall be required to complete a current course of training for nursing assistants, or successfully complete the Department's proficiency examination.
- b) The facility may utilize interns to perform basic nursing assistant practices, but shall not allow interns to provide rehabilitation nursing, in-bed bathing, assistance with skin care, foot care, enemas, or any medical procedure, except under the direct, immediate supervision of a licensed nurse or certified nursing assistant.
- c) No facility shall have more than fifteen percent of its nursing assistant staff positions held by student interns.

(Source: Added at 13 Ill. Reg. _____, effective _____.)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: The Applicant Assistance Unit2) Code Citation: 89 Ill. Adm. Code 8703) Section Numbers:

870.10

870.11

870.20

Proposed Action:

amendment

new section

amendment

4) Statutory Authority: Implementing Section 3(a) and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, as amended by Public Act 85-1351, ch. 23, pars. 3434(a) and (k)).5) A Complete Description of the Subjects and Issues Involved: These amendments set forth the Department's policies and procedures for the Bureau of Disability Determination Services in revising the organizational structure and expanding the job duties of the Disability Assistance Unit previously entitled the Applicant Assistance Unit.6) Will proposed amendments replace an emergency rule currently in Effect:
No7) Do these amendments contain an automatic repeal date? Yes X No
If "yes," please specify the date:8) Do these proposed amendments contain incorporations by reference? Yes9) Are there any other amendments pending on this Part? No10) Statement of Statewide Policy Objectives: None11) Time, Place, and Manner in which interested persons may comment on these proposed amendments: All persons who submit a written request to comment within fourteen (14) days after this notice has been published shall be given a reasonable opportunity to submit date, views, argument or comments about these amendments. All such submissions shall be made within forty-five (45) days after this notice has been published. Any comments submitted within forty-five (45) days after this notice has been published will be considered by the Department. All requests and comments should be submitted in writing to:

Ms. Leigh Reed
Regulations and Procedures Section
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

Telephone number: (217) 785-3896

T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has reviewed these amendments and found that they have no impact on small business.The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER 9: BUREAU OF DISABILITY DETERMINATION SERVICES

PART 870

THE DISABILITY APPLICANT ASSISTANCE UNIT

Section

870.10 Definitions

870.11 Incorporation by Reference

870.20 Services Provided by the Disability Applicant Assistance Unit

AUTHORITY: Implementing Section 3(a) and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, pars. 3434(a) and 3434(k)).

SOURCE: Adopted at 12 Ill. Reg. 11493, effective June 22, 1988; amended at 13 Ill. Reg. _____, effective _____.

Section 870.10 Definitions

"Disability Applicant Assistance Unit" means the unit within the Bureau of Disability Determination Services created to respond to public official and claimant inquiries and to serve as an advocacy system to reinforce the rights of Illinois citizens with disabilities and to improve state administration of the disability determination process. advocacy system created within the Bureau of Disability Determination Services to reinforce the rights of Illinois citizens with disabilities and to improve state administration of the disability determination process.

"Consultative examination" means a medical examination purchased by the Bureau from a treating or attending physician, another source of record, or an independent source to secure additional information necessary to make a disability determination or to resolve conflicting information pursuant to 89 Ill. Adm. Code 840.

"Crisis intervention training" means a seminar conducted by mental health professionals for the Disability Applicant Assistance Unit professional staff to teach them skills to be used in suicide prevention and conflict management during the disability determination process.

"Disability determination process" means the system of developing medical/vocational evidence under Titles II and XVI of the Social Security Act 42 USC, Chapter 7, as amended August 28, 1950 and October 30, 1972 for the purpose of evaluating a claimant's

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impairment(s) according to 20 CFR 404.1503, 20 CFR 404.1505, 20 CFR 404.1581, 20 CFR 416.903, 20 CFR 416.905, 20 CFR 416.906, and 20 CFR 416.981 as amended April 1986 with no later amendments or editions. Refer, also, to 89 Ill. Adm. Code 845 and 860.

"Toll-free telephone hotline" means an 800 telephone number through which Illinois residents can gain immediate access to the Disability Applicant Assistance Unit.

"Vocational evidence development" means functional and vocational capacities testing conducted in vocational assessment facilities, pursuant to 89 Ill. Adm. Code 843.50.

(Source: Amended at 13 Ill. Reg. _____, effective _____.)

Section 870.11 Incorporation by Reference

Incorporations by reference in this Part do not include any later amendments or editions.

Section 870.20 Services Provided by the Disability Applicant Assistance Unit

a) The Disability Applicant Assistance Unit (DAU) ~~(DAU)~~ will assist the claimant in processing the disability claim, upon request, through the following actions:

- 1) Explaining the Social Security Administration disability determination process;
- 2) Explaining legal rulings which affect that process;
- 3) Making travel/lodging arrangements necessary for consultative examinations and vocational evidence development;
- 4) Investigating and resolving delays in case processing;
- 5) Referring claimants to social service agencies.

b) The DAU ~~AAU~~ will operate a toll-free telephone hotline to answer questions, hear complaints, and provide assistance to Illinois residents in pursuing disability claims.

c) The DAU ~~AAU~~ will keep a file of records of ~~report~~ suspected child abuse/neglect reported by the Bureau according to the regulations set forth by the Department of Children and Family Services pursuant to Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1987, ch. 23, pars. 2051 et seq.).

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- a) The DAU AAB will report, to the Department on Aging, instances of abuse of elderly persons abuse and sexual abuse, as defined by the Department on Aging's rules at 89 Ill. Adm. Code 250.120, and will report, to the Department of Public Health, instances of abuse in long-term care facilities in accordance with the Abused and Neglected Long Term Care Facility Residents Reporting Act (Ill. Rev. Stat. 1987, ch. 111 1/2/, par. 4161 et seq.)."
- e) The DAU AAB will intervene in claimant crises involving suicide or other threats of violence by employing methods learned in crisis intervention training and by notifying authorities and family members as indicated by the situation.
- f) The DAU AAB will operate a Voice/Telecommunication Device for the Deaf to assist adjudicators in communicating with disability claimants with hearing impairments.
- g) The DAU AAB will publicize the existence of their service to the general public and professional, community, and advocacy groups through the media, informational brochures, and correspondence to claimants.
- h) The DAU will respond to federal, state, and local public official inquiries in keeping with the Privacy Act of 1974 (5 USC 552a) P.L. 93-579, the Freedom of Information Act (5 USC 552 added by P.L. 90-23 and amended by P.L. 93-502 and P.L. 94-409) and the guidelines set forth in the Program Operations Manual DI 30500.000 as amended January 1989.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

- 1) Heading of the Part: Disposition of Application

- 2) Code Citation: 89 Ill. Adm. Code 693

- 3) Section Numbers: 693.200
Proposed Action: amendment

- 4) Statutory Authority: Section 3(g) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, pars. 3434(g)).

- 5) A Complete Description of the Subjects and Issues involved: Section 693.200 is being amended to specify the official notification of eligibility, which is provided to the client.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?
Yes X No

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: All persons who submit a written request to comment within fourteen (14) days after this notice has been published shall be given a reasonable opportunity to submit data, views, argument or comments about this rulemaking. All such submissions shall be made within forty-five (45) days after this notice has been published. Any comments submitted within forty-five (45) days after this notice has been published will be considered by the Department. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

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Ms. Leigh Reed
Regulations and Procedures Section
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not effect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 693
DISPOSITION OF APPLICATION

Section
693.100 Eligibility Determination Time Frames
693.200 Notification of Eligibility Determination
693.300 Client Role in Eligibility Determination Process

AUTHORITY: Implementing and authorized by section 3(g) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, par. 3434(g)).

SOURCE: Adopted and codified at 7 Ill. Reg. 31, p. 8844, effective July 18, 1983; amended at 8 Ill. Reg. 15621 effective August 17, 1984; amended at 13 Ill. Reg. _____, effective _____.

Section 693.200 Notification of Eligibility Determination

Written notification of the eligibility determination A copy of the signed Service Plan (IL 488-1049), the official notification of eligibility, shall be mailed or otherwise provided to the client within 60 calendar days following the date of application. This 60 day time limit may be extended, by any delay caused by the client or third party, up to 105 days from the date of application. Clients found ineligible will be apprised of their appeal rights in this notice.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Post-Employment Services

2) Code Citation: 89 Ill. Adm. Code 622

3) Section Numbers: Proposed Action:
622.20 amendment

4) Statutory Authority: Sections 3(a),(b) and (k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, pars 3434(a), (b), and (k)).

5) A Complete Description of the Subjects and Issues involved:
The amendment to Section 622.20 is being proposed so that a counselor can provide more services in post-employment including placing a client into competitive employment from a sheltered workshop situation.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: All persons who submit a written request to comment within fourteen (14) days after this notice has been published shall be given a reasonable opportunity to submit data, views, argument or comments about this rulemaking. All such submissions shall be made within forty-five (45) days after this notice has been published. Any comments submitted within forty-five (45) days after this notice has been published will be considered by the Department. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

Ms. Leigh Reed
Regulations and Procedures Section
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not effect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 622
 POST-EMPLOYMENT SERVICES

Section

622.10 General Applicability
 622.20 Post-Employment Services Eligibility
 622.30 Provision of Post-Employment Services

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, pars. 3434(a),(b), and (k))

SOURCE: Adopted at 9 Ill. Reg. 8831, effective June 10, 1985; amended at 11 Ill. Reg. 1625, effective January 6, 1987; amended at 12 Ill. Reg. 11505, effective June 22, 1988; amended at 13 Ill. Reg. _____, effective _____.

Section 622.20 Post-Employment Services Eligibility

a) Post-employment services are VR services (as contained in 89 Ill. Adm. Code: Chapter IV, Subchapter b (Vocational Rehabilitation) which do not require opening a new case for the client and whose closed case file is still available pursuant to 34 CFR 74.21 and 22.

b) Post-employment services may be provided to all clients whose cases have been closed rehabilitated. The closed case must include an assessment of the expected need for post-employment services and document pursuant to 89 Ill. Adm. Code 617.20 that a reassessment of the need for post-employment services has been completed prior to case closure. The assessment consists of the following information: the counselor's professional judgment on the client's progress toward meeting his/her goal, the client's needs, the client's disability(ies) and historical data on the particular client or disability. Post-employment services can only be provided if they are necessary as determined by the counselor's professional judgment as evidenced in the IWRP amendment (89 Ill. Adm. Code 617.20) to maintain employment or to assist an individual to regain more suitable employment when the rehabilitation

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determination was based on employment appropriate at the time, but below the individual's potential. The more suitable employment must:

- 1) not entail an extended training period (i.e., 6 months or more) and a change of occupation; and,
- 2) improve the level of independence and result in a termination of post-employment services.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

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1) Heading of Part: Retailers' Occupation Tax Regulations

2) Code Citation: 86 Ill. Adm. Code 130

3) Section Numbers: 130.310 Proposed Action:
Amendment

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 120, par. 441

5) A Complete Description of the Subjects and Issues Involved: Changes in the regulation dealing with food prepared for immediate consumption. These changes are based upon the Illinois Supreme Court decisions in Canteen Corp. v. Department of Revenue.

6) Will this proposed rule replace an emergency rule currently in effect:
No

7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part: Yes

Section Numbers	Proposed Action	Illinois Register Citation
130.901	Amendment	7/1/88 - - 12 Ill. Reg. 11084
130.1501	Amendment	7/1/88 - - 12 Ill. Reg. 11084
130.1505	Amendment	7/1/88 - - 12 Ill. Reg. 11084
130.1515	Amendment	7/1/88 - - 12 Ill. Reg. 11084
130.330	Amendment	12/23/88 - - 12 Ill. Reg. 22097
130.2000	Amendment	12/23/88 - - 12 Ill. Reg. 22097

10) Statement of Statewide Policy Objectives: Bring the regulations in to conformance with judicial decisions.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Mr. R. Dale Yung
Administrator
Illinois Department of Revenue
Legal Services Bureau
101 West Jefferson
Springfield, Illinois 62708
Phone: (217) 782-6336

12) Initial Regulatory Flexibility Analysis:

- A Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:
- B) Types of small businesses affected: Retailers of food
- C) Reporting, bookkeeping or other procedures required for compliance: The same as required presently for ROT reporting
- D) Types of professional skills necessary for compliance: Bookkeeping
- The full text of the Proposed Amendment(s) begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 130
RETAILERS' OCCUPATION TAX REGULATIONS

SUBPART A: NATURE OF TAX

Section	Character and Rate of Tax
130.101	Responsibility of Trustees, Receivers, Executors or Administrators
130.115	Occasional Sales
130.110	Sale of Used Motor Vehicles by Leasing or Rental Business
130.111	Habitual Sales
130.115	Nontaxable Transactions

SUBPART B: SALE AT RETAIL

Section	The Test of a Sale at Retail
130.201	Sales for Transfer Incident to Service
130.205	Sales of Tangible Personal Property to Purchasers for Resale
130.210	Further Illustrations
130.215	Sales to Lessors of Tangible Personal Property
130.220	

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section	Farm Machinery and Equipment
130.305	Food, Drugs, Medicines and Medical Appliances
130.310	Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.315	Gasohol
130.320	Graphic Arts Machinery and Equipment Exemption
130.325	Manufacturing Machinery and Equipment
130.330	Pollution Control Facilities
130.335	Rolling Stock
130.340	Oil Field Exploration, Drilling and Production Equipment
130.345	Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment
130.350	

SUBPART D: GROSS RECEIPTS

Section	Meaning of Gross Receipts
130.401	How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser
130.405	Cost of Doing Business Not Deductible
130.410	Transportation and Delivery Charges
130.415	Finance or Interest Charges--Penalties--Discounts
130.420	Traded-In Property
130.425	Deposit or Prepayment on Purchase Price
130.430	State and Local Taxes Other Than Retailers' Occupation Tax
130.435	Penalties
130.440	

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130.445	Federal Taxes
130.450	Installation, Alteration and Special Service Charges

SUBPART E: RETURNS

Section	Monthly Tax Returns--When Due--Contents
130.501	Returns and How to Prepare
130.505	Annual Tax Returns
130.510	First Return
130.515	Final Returns When Business is Discontinued
130.520	Who May Sign Returns
130.525	Returns Covering More Than One Location Under Same Registration--Separate Returns for Separately Registered Locations
130.530	Payment of the Tax, Including Quarter Monthly Payments in Certain Instances
130.535	
130.540	Returns on a Transaction by Transaction Basis
130.545	Registrants Must File a Return for Every Return Period
130.550	Filing of Returns for Retailers by Suppliers Under Certain Circumstances
130.551	Prepayment of Retailers' Occupation Tax on Motor Fuel
130.555	Vending Machine Information Returns
130.560	Verification of Returns

SUBPART F: INTERSTATE COMMERCE

Section	Preliminary Comments
130.601	Sales of Property Originating in Illinois
130.605	Sales of Property Originating in Other States
130.610	

SUBPART G: CERTIFICATE OF REGISTRATION

Section	General Information on Obtaining a Certificate of Registration
130.701	Procedure in Disputed Cases Involving Financial Responsibility Requirements
130.705	Procedure When Security Must be Forfeited
130.710	Sub-Certificates of Registration
130.715	Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances
130.720	Display
130.725	Replacement of Certificate
130.730	Certificate Not Transferable
130.735	Certificate Required For Mobile Vending Units
130.740	Revocation of Certificate
130.745	

SUBPART H: BOOKS AND RECORDS

Section	General Requirements
130.801	What Records Constitute Minimum Requirement
130.805	

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130.810 Records Required to Support Deductions
 130.815 Preservation and Retention of Records
 130.820 Preservation of Books During Pendency of Assessment Proceedings
 130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

SUBPART I: PENALTIES AND INTEREST

Section
 130.901 Civil Penalties
 130.905 Interest
 130.910 Criminal Penalties

SUBPART J. BINDING OPINIONS

Section
 130.1001 When Opinions from the Department are Binding

SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section
 130.1101 Definition of Federal Area
 130.1105 When Deliveries on Federal Areas Are Taxable
 130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

Section
 130.1201 General Information
 130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section
 130.1301 When Lessee of Premises Must File Return for Leased Department
 130.1305 When Lessor of Premises Should File Return for Leased Department
 130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

SUBPART N: SALES FOR RESALE

Section
 130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale
 130.1405 Seller's Responsibility to Obtain Certificates of Resale
 130.1410 Requirements for Certificates of Resale
 130.1415 Resale Number--When Required and How Obtained
 130.1420 Blanket Certificate of Resale

SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section
 130.1501 Claims for Credit--Limitations--Procedure
 130.1505 Disposition of Credit Memoranda by Holders Thereof
 130.1510 Refunds

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130.1515 Interest

SUBPART P: PROCEDURE TO BE FOLLOWED UPON SELLING OUT OR DISCONTINUING BUSINESS

Section
 130.1601 When Returns are Required After a Business is Discontinued
 130.1605 When Returns are Not Required After Discontinuation of a Business
 130.1610 Cross Reference to Bulk Sales Regulation

SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section
 130.1701 General Information

SUBPART R: POWER OF ATTORNEY

Section
 130.1801 When Powers of Attorney May be Given
 130.1805 Filing of Power of Attorney With Department
 130.1810 Filing of Papers by Agent Under Power of Attorney

SUBPART S: SPECIFIC APPLICATIONS

Section
 130.1901 Addition Agents to Plating Baths
 130.1905 Agricultural Producers
 130.1910 Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage Stamps and Like Articles
 130.1915 Auctioneers and Agents
 130.1920 Barbers and Beauty Shop Operators
 130.1925 Blacksmiths
 130.1930 Chiroprodists, Osteopaths and Chiropractors
 130.1935 Computer Software
 130.1940 Construction Contractors and Real Estate Developers
 130.1945 Co-operative Associations
 130.1950 Dentists
 130.1951 Enterprise Zones
 130.1955 Farm Chemicals
 130.1960 Finance Companies and Other Lending Agencies - Installment Contracts - Repossessions
 130.1965 Florists and Nurserymen
 130.1970 Hatcheries
 130.1975 Operators of Games of Chance and Their Suppliers
 130.1980 Optometrists, Oculists and Opticians
 130.1985 Pawnbrokers
 130.1990 Peddlers, Hawkers and Itinerant Vendors
 130.1995 Personalizing Tangible Personal Property
 130.2000 Persons Engaged in the Printing, Graphic Arts or Related Occupations, and Their Suppliers
 130.2005 Persons Engaged in Nonprofit Service Enterprises and in Similar Enterprises Operated As Businesses, and Suppliers of Such Persons

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- 130.2006 Sales by Teacher-Sponsored Student Organizations
 130.2007 Exemption Identification Numbers
 130.2010 Persons Who Rent or Lease the Use of Tangible Personal Property to Others
 130.2015 Persons Who Repair or Otherwise Service Tangible Personal Property
 130.2020 Physicians and Surgeons
 130.2025 Picture-Framers
 130.2030 Public Amusement Places
 130.2035 Registered Pharmacists and Druggists
 130.2040 Retailers of Clothing
 130.2045 Retailers on Premises of the Illinois State Fair, County Fairs, Art Shows, Flea Markets and the Like
 130.2050 Sales and Gifts By Employers to Employees
 130.2055 Sales by Governmental Bodies
 130.2060 Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products
 130.2065 Sales of Automobiles for Use in Demonstration
 130.2070 Sales of Containers, Wrapping and Packing Materials and Related Products
 130.2075 Sales to Construction Contractors, Real Estate Developers and Speculative Builders
 130.2080 Sales to Governmental Bodies
 130.2085 Sales to or by Banks and Savings and Loan Associations
 130.2090 Sales to Railroad Companies
 130.2095 Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles
 130.2100 Sellers of Feeds and Breeding Livestock
 130.2105 Sellers of Newspapers, Magazines, Books, Sheet Music and Phonograph Records and their Suppliers
 130.2110 Sellers of Seeds and Fertilizer
 130.2115 Sellers of Machinery, Tools and the Like
 130.2120 Suppliers of Persons Engaged in Service Occupations and Professions
 130.2125 Trading Stamps and Discount Coupons
 130.2130 Undertakers and Funeral Directors
 130.2135 Vending Machines
 130.2140 Vendors of Curtains, Slip Covers, Floor Covering and Other Similar Items made to Order
 130.2145 Vendors of Meals
 130.2150 Vendors of Memorial Stones and Monuments
 130.2155 Vendors of Signs
 130.2156 Vendors of Steam
 130.2160 Vendors of Tangible Personal Property Employed for Premiums, Advertising, Prizes, Etc.
 130.2165 Veterinarians
 130.2170 Warehousemen

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act (Ill. Rev. Stat. 1987, ch. 120, pars. 440 et seq.) and authorized by Section 39b3 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 39b3).

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SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980; amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendments at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking, emergency expired January 29, 1989; amended at 11 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 130.310 Food, Drugs, Medicines and Medical Appliances

- a) General. Effective January 1, 1980, through December 31, 1980, notwithstanding the fact that the sales may be at retail, food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages and food which has been prepared for immediate consumption), and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing utensils, syringes, and needles used by diabetics, for human use, will be taxed at the rate of 3% of the gross receipts from such sales. Effective January 1, 1981, such sales will be taxed at the rate of 2% of the gross receipts from such sales. Effective January 1, 1984, such sales will be taxed at the rate of 0% of gross receipts from such sales. Local tax may still be imposed on such sales notwithstanding the reductions in the State rate.

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b) Food

- 1) A food is any solid, liquid, powder or item intended by the seller primarily for human internal consumption, whether simple, compound or mixed, including foods such as condiments, spices, seasonings, vitamins, bottled water and ice.
- 2) Gross receipts from sales of food for which facilities are provided so that it can be consumed on the premises where it is sold and gross receipts from sales of food which has been prepared for immediate consumption do not qualify for the reduced rate. For example:

A) gross receipts from sales of food and drinks by restaurants, coffee shops, cafeterias and other establishments selling food which has been prepared for immediate consumption or which provide facilities for on-premises consumption are subject to the full rate of tax.

B) concession stands, snack shops and other establishments which sell food items primarily (more than 50%) in individual sized servings (such as ice cream cones, bags of popcorn, candy bars and individually served sandwiches) make sales of food for immediate consumption.

C) ~~sales of food items in vending machines are sales of food for immediate consumption.~~

CD) sales of all hot food and hot food products are sales of food for immediate consumption.

3) Delicatessens, markets, dairies and bakeries and other establishments which sell food items primarily (more than 50%) in quantities greater than individual sized servings incur the reduced rate on gross receipts from retail sales of food items. However, the full rate will apply to all sales made by such establishments which provide facilities for the consumption of food on premises unless those facilities utilize a separate means of collecting receipts from such sales for consumption on the premises and are physically partitioned from areas in which food not for immediate consumption is sold.

4) The reduced rate does not extend to alcoholic beverages. An alcoholic beverage is any beverage subject to the tax imposed under Article VIII of "An Act relating to alcoholic liquors" approved January 31, 1934, effective July 1, 1934 (Ill. Rev. Stat. 1987, ch. 43, pars. 94 et seq.).

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- 5) Effective September 1, 1984, the reduced rate does not extend to soft drinks. Soft drinks will be taxed at the State sales tax rate of 5%. The term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description which are contained in any closed or sealed bottle, can, carton, or container regardless of size. "SOFT DRINKS" DO NOT INCLUDE COFFEE, TEA, NON-CARBONATED WATER, INFANT FORMULA, MILK OR MILK PRODUCTS AS DEFINED IN THE GRADE A PASTURIZED MILK AND MILK PRODUCTS ACT (Ill. Rev. Stat. 1987, ch. 56 1/2, pars. 2201 et seq.), OR DRINKS CONTAINING 50% OR MORE NATURAL FRUIT OR VEGETABLE JUICE. FROZEN CONCENTRATED FRUIT JUICE, DRY POWDERED DRINK MIXES, AND FRUIT JUICES WHICH ARE RECONSTITUTED TO NATURAL STRENGTH ARE NOT SOFT DRINKS. (Ill. Rev. Stat. 1987, ch. 120, par. 441)

- 6) Food prepared for immediate consumption means food made ready by the retailer to be eaten without substantial delay after the final stage of preparation by the retailer. Retailers who sell food which they do not prepare in any way, are not selling food for immediate consumption, i.e., pre-packaged candy bars, snacks, chips, ice cream, unless that food is to be consumed on the retailer's premises. It is presumed that retailers who sell food prepared for immediate consumption in individual single-sized servings will sell all such items for consumption without substantive delay. Thus, for example, a retailer of individual sandwiches, doughnuts or cookies prepared in the morning will be subject to the high rate of tax regardless of when during a business day such items are sold and actually consumed. Premises is that area over which the vendor exercises control, whether by lease, contract, license or otherwise, and, in addition, the area in which facilities for eating are provided, including areas designated for, or devoted to, use in conjunction with the business engaged in by the vendor. Thus, all food sold by a restaurant for consumption on premises, whether prepared for immediate consumption or not, is subject to the high rate. Candy bars sold through a vending machine located outside a service station with no facilities for consumption, would be subject to the low rate of tax, while an identical candy bar sold through an identical vending machine in a cafeteria, break area, or a location with shared eating facilities, would be subject to the high rate. Vendor premises would include eating areas provided by employers for employees, common or shared eating areas in shopping centers or public buildings if customers of food vendors adjacent to such areas are permitted to use them for consumption of food

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products. It will be presumed that food sold by vendors with on-premises consumption facilities will, in fact, be consumed on premises unless the vendor presents convincing evidence to the contrary.

c) Medicines and Medical Appliances

- 1) A medicine or drug is any pill, powder, potion, salve, or other preparation intended by the manufacturer for human use and which purports on the label to have medicinal qualities.
- 2) A medical appliance is an item which is intended by the maker to correct any functioning part of the body or which is used as a substitute for any functioning part of the body, such as artificial limbs, crutches, wheelchairs, stretchers, hearing aids, corrective eyeglasses, dental prostheses, and sterile cotton, bandages and bandaids. The term "medical appliance" also includes testing equipment used by an individual to test his or her own medical condition.
- 3) Medical appliances used by health care professionals and not transferred to their patients in providing medical services do not qualify for the reduced rate of tax.
- 4) Supplies, such as non-sterile cotton swabs, disposable diapers, toilet paper, tissues and towlettes do not qualify for the reduced rate. Cosmetics, such as lipsticks, perfume and hair tonics do not qualify for the reduced rate. Diapers and absorbent pads for incontinent patients are not supplies.

d) Reporting

- 1) The retailer must keep an actual record of all sales and must report tax at the applicable rates, based on sales as reflected in his records. Books and records must be maintained in sufficient detail so that all receipts reported with respect to food, drugs, medicines and medical appliances can be supported. The determination of the percentage of sales of food items sold in individual-sized servings referred to in paragraphs 2(b) and (3) above, will be made by comparing the dollar amounts of the gross receipts of the two categories of foods. The determination shall be based upon a period which will generally reflect the true character of overall sales rather than isolated or seasonal variations.
- 2) If a retailer finds it difficult to maintain detailed records of receipts from sales of food, drugs, medicines and medical appliances at the reduced rate, as well as detailed records of

receipts from all other sales of tangible personal property at the full rate, he may request the use of a formula. Such requests must be made to the Department in writing and must state the reasons that a formula method is necessary and outline the proposed formula in detail. Included in the request must be a description of how the method can be audited by the Department. Upon findings that the formula can be audited and will produce results that will reasonably approximate the actual taxable receipts in each category, the Department may issue its approval for use of such formula. If approval is granted, the Department reserves the right to withdraw approval or require a change in procedure at any time.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

CAPITAL DEVELOPMENT BOARD

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Procurement Practices
- 2) Code Citation: 44 Ill. Adm. Code 910
- 3) Section Number: 910.130 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 9.06 and 16 of the Capital Development Board Act (Ill. Rev. Stat. 1987, ch. 127, pars. 779.6 and 783b) and authorized by Sections 5 and 6 of the Illinois Purchasing Act (Ill. Rev. Stat. 1987, ch. 127, pars. 132.5 and 132.6).
- 5) Effective Date of Amendments: May 22, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendments contain incorporations by reference? No
If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking?
- 8) Date Filed in Agency's Principal Office: May 22, 1989
- 9) Notice of Proposal Published in Illinois Register: 13 Ill. Reg. 1917; February 17, 1989.
- 10) Has JCAR issued a Statement of Objections to this rule? No
- A) Statement of Objection: _____, _____ Ill. Reg. _____
(issue date)
- B) Agency Response: _____, _____ Ill. Reg. _____
(issue date)
- C) Date Agency Response Submitted for Approval to JCAR:
- 11) Difference between proposal and final version:
- A) Under Section 910.130 the following subsections were added (b)(1); (b)(2); and (b)(3).
- B) Added Section 16, par. 783b as a reference of the Capital Development Board in the Authority Note.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendments replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

Language has been added to prohibit a contractor, architect, engineer, insurance company, or surety company, which knowingly makes a material misrepresentation in an application for prequalification, from applying for prequalification for a period of three years following submittal of the misrepresented application. Prequalification issued in error because of any misrepresentation is null and void and any contract awarded thereon may be cancelled. These provisions provide the appropriate sanctions for ensuring the integrity of the public contracting process.

16) Information and questions regarding this adopted amendments shall be directed to:

Fredrick W. Hahn, Legal Advisor
Capital Development Board
401 South Spring Street
Springfield, IL 62706
Telephone 217/785-4250

The full text of the Adopted Amendments begins on the next page:

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY MANAGEMENT
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER XII: CAPITAL DEVELOPMENT BOARD

PART 910
PROCUREMENT PRACTICES

Section

910.110 Purchasing Act

910.120 Contracts

910.130 Prequalification

910.140 Suspension

910.150 Use of Department of Central Management Services

910.160 Severability

AUTHORITY: Implementing and authorized by Sections 9.06 and 16 of the Capital Development Board Act (Ill. Rev. Stat. 1987, ch. 127, par. 779.6 and 783b) and authorized by Sections 5 and 6 of the Illinois Purchasing Act (Ill. Rev. Stat. 1987, ch. 127, pars. 132.5 and 132.6).

SOURCE: Adopted at 2 Ill. Reg. 30, p. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, p. 233, effective February 14, 1980; amended at 5 Ill. Reg. 1890, effective February 17, 1981; amended and codified at 8 Ill. Reg. 20324, effective October 1, 1984; amended at 9 Ill. Reg. 17332, effective October 29, 1985; amended at 12 Ill. Reg. 9864, effective May 27, 1988; amended at 13 Ill. Reg. 8403, effective May 22, 1989.

Section 910.130 Prequalification

a) All contractors, architects, engineers, insurance companies and surety companies who desire to do business with the Board must be prequalified in accordance with the Rules of the Board. Matters relating to prequalification of contractors are found in Part 950 of this Title (44 Ill. Adm. Code 950). Matters relating to prequalification of architects and engineers are found in Part 980 of this Title (44 Ill. Adm. Code 980). Matters relating to insurance and surety companies are found in Part 1050 of this Title (44 Ill. Adm. Code 1050).

b) If any contractor, architect, engineer, insurance company or surety company knowingly makes a material misrepresentation in its application for prequalification, such entity shall not be allowed to seek prequalification for a period of three years from the date of the submittal of the misrepresented application. In the event the Board shall issue a prequalification in error because of a material misrepresentation by the applicant, such prequalification shall be

null and void, and the Board may cancel any contracts awarded based upon the misrepresented application.

1) A material misrepresentation is made by knowingly submitting any untrue, misleading or deceptive information or document containing such information, or by the concealment, suppression or omission of any information, in or from a prequalification application, which causes the Board to act differently than it would have if it had known the undisclosed or true information.

2) A prequalification issued in error because of a material misrepresentation shall be null and void as of the date the current prequalification was issued. The Board will notify the party of the nullity of the prequalification. The party may submit an explanation or documentation regarding the misrepresentation for the Board's review.

3) In determining whether to cancel contracts awarded based upon a misrepresented application, the Board will consider factors such as, including but not limited to, whether the misrepresentation to has been corrected, the relationship of the misrepresentation to the contracts, and the extent to which information was misrepresented.

(Source: Amended at 13 Ill. Reg. 8403, effective May 22, 1989)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Small Business Impact Analysis Procedures
- 2) Code Citation: 1 Ill. Adm. Code 300
- 3) Section Numbers: Adopted Action:

300.100	New Section
300.200	New Section
300.300	New Section
300.400	New Section
300.Appendix A	New Section
- 4) Statutory Authority: Implementing Section 4.03(c) and authorized by Sections 3.10 and 4.03(a) of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, pars. 1004.03(c), 1003.10, and 1004.03(a)) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).
- 5) Effective Date of Rules: May 18, 1989
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these rules contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: May 17, 1989
- 9) Notice of Proposal Published in Illinois Register: May 20, 1988, 12 Ill. Reg. 8511.
- 10) Has JCPR issued a Statement of Objections to these rules? No.
- 11) Differences between proposal and final version:

In the "statutory authority" on the notice and the "authority note" added Sections 3.10 and 4.03(a) of the Illinois Administrative Procedure Act.

The table of contents has been revised so the Appendix is listed on the line immediately below the last Section number.

All citations to the Illinois Revised Statutes have been revised to reflect the 1987 edition.

Section 300.200
The definitions of "direct impact" and "indirect impact" have been deleted.

The definition of "impact" has been rewritten as follows: "Impact" is the effect on small businesses resulting from rules and regulations

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implemented by a state agency. This includes but is not limited to rules pertaining to licensing/registration/permitting and grant/loan application processes."

In the definition of "issuing agency" the word "promulgating" has been replaced with "proposing".

In the first sentence of the definition of "small business", "activity" has been replaced with "entity," and a comma has been inserted after "Business".

The following language was added to the end of the definition of "small business": "For purposes of a specific rule, an agency may define small business to include more persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of small businesses and organizations. A business is considered dominant in its field if it is the only business in Illinois engaged in that particular activity."

Section 300.300(a)

In the third line replaced "may have" with "has" and replaced "businesses" with "any business".

The last two sentences have been replaced with the following language: "The notification shall include a complete copy of the proposed rulemaking as it is to be published in the Illinois Register, and a Business Impact Analysis (Appendix A) which includes, to the best of an agency's knowledge:"

Section 300.300(a)(2)

Replaced "small" with "total", deleted "directly or indirectly" and added "and an estimate of the economic impact per business in dollars" after "rulemaking".

Section 300.300(a)(3)

Deleted "small" and inserted "including a copy of any form(s) referenced in the proposed rules" after "rulemaking".

Section 300.300(b) has been deleted and the remainder of the Section relabeled accordingly.

Section 300.300(c) (relabeled (b))

Changed "subsections 300.300(a) and (b)" to "subsection (a)" and deleted "Section 300."

Section 300.300(d) (relabeled (c))

Deleted "in writing".

Section 300.400(b)(1)

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Changed to read: "data information services".

Section 300.400(b)(4)

Inserted "held by others" after "hearings".

Section 300.400(b)(5)

Replaced "public and private sectors" with "the appropriate field".

Section 300.400(c)

The first sentence has been revised to read: "The impact analysis shall be completed within forty-five days of the date of publication of the rule in the Illinois Register or within the first notice period."

In Sections 300.400(c)(2) and (c)(3) deleted ", either directly or indirectly".

In Sections 300.400(c)(4) the statutory citation has been replaced with "(Section 4.03(c)(1)-(4) of the Act)".

Section 300.400(e) has been rewritten as follows: "The Department retains the right, under its general policy of advocating for small businesses, to review any proposed rulemaking published in the Illinois Register which it determines may impact small businesses, regardless of notification by an issuing agency or request by the Joint Committee on Administrative Rules. In such cases, the Department will notify the issuing agency that an impact analysis will be prepared with no action required on the part of the issuing agency."

The form provided in Section 300.Appendix A has been significantly revised in response to comments received during the first notice period. This form has been shortened to one page and its name changed from the "Initial Regulatory Flexibility Analysis Form" to the "Business Impact Analysis". The name change has been made in both the table of contents and the text.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will these rules replace emergency rules currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Rules: Pursuant to Section 4.03(c) of the Illinois Administrative Procedure Act (Act) (Ill. Rev. Stat. 1987, ch. 127, par. 1004.03(c)) the Small Business Assistance Bureau of the Department of Commerce and Community Affairs must prepare an impact analysis on any proposed rulemaking that will have an impact on small businesses. This Part serves to establish guidelines which govern the agencies' compliance with and the Department's implementation of this

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provision of the Act.

16) Information and questions regarding these adopted rules shall be directed to:

Ms. Sherry Bricevich, Manager
Office of Regulatory Flexibility and Legislative Research
Department of Commerce and Community Affairs
Small Business Assistance Bureau
100 West Randolph, Suite 3-400
Chicago, Illinois 60601
(312) 917-6596

The full text of the Adopted Rules begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED RULES

TITLE 1: RULES AND RULEMAKING
CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 300
SMALL BUSINESS IMPACT ANALYSIS PROCEDURES

Section	
300.100	Purpose
300.200	Definitions
300.300	Procedures
300.400	Review
300.Appendix A	Business Impact Analysis

AUTHORITY: Implementing Section 4.03(c) and authorized by Sections 3.10 and 4.03(a) of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, pars. 1004.03(c), 1003.10, and 1004.03(a)) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).

SOURCE: Adopted at 13 Ill. Reg. 8407, effective May 18, 1989.

NOTE: Capitalization denotes statutory language.

Section 300.100 Purpose

Pursuant to Section 4.03(c) of the Illinois Administrative Procedure Act (Act) (Ill. Rev. Stat. 1987, ch. 127, par. 1004.03(c)), the Small Business Assistance Bureau of the Department of Commerce and Community Affairs (Department) has the responsibility of preparing an impact analysis on any proposed rulemaking that will have an impact on small businesses. This part serves to establish guidelines which govern the agencies' compliance with and the Department's implementation of this provision of the Act.

Section 300.200 Definitions

"Business" means a legal entity in Illinois including, but not limited to, any sole proprietorship, partnership, corporation, joint venture, association or cooperative.

"Impact" is the effect on small businesses resulting from rules and regulations implemented by a state agency. This includes but is not limited to rules pertaining to licensing/registration/permitting and grant/loan application processes.

"Issuing agency" is that agency proposing rules and regulations.

"Recordkeeping" is that information which must be recorded and maintained by the business in order to comply with rules and

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regulations.

"Reporting requirement" is any information that a business must submit to an issuing agency or any other agency as required in the rules.

"Small business" is any entity, as defined under "Business", independently owned and operated, not dominant in its field, which grosses less than four million dollars per year or employs fewer than fifty full-time employees. Two part-time employees equal one full-time employee. For purposes of a specific rule, an agency may define small business to include more persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of small businesses and organizations. A business is considered dominant in its field if it is the only business in Illinois engaged in that particular activity.

Section 300.300 Procedures

a) In accordance with Section 4.03(c) of the Act, when a state agency proposes a new rule, or an amendment to an existing rule, which has an impact on any business, the agency shall notify the Small Business Assistance Bureau of the Department of Commerce and Community Affairs. This notification shall be made prior to or at the same time the proposed rule is submitted to the Administrative Code Division of the Secretary of State for publication in the Illinois Register. The notification shall include a complete copy of the proposed rulemaking as it is to be published in the Illinois Register, and a Business Impact Analysis (Appendix A) which includes, to the best of an agency's knowledge:

- 1) a description of the types of small businesses subject to the rule;
 - 2) an estimate of the number of total businesses impacted by the proposed rulemaking and an estimate of the economic impact per business in dollars;
 - 3) a synopsis of any increase or decrease in record reporting requirements, compliance criteria requirements or operational activity to be imposed on businesses as a result of the proposed rulemaking including a copy of any form(s) referenced in the proposed rules; and
 - 4) a description of the type(s) of professional personnel or skills necessary for implementation or compliance.
- b) The information required by subsection(a) shall be submitted in

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the form shown in Appendix A of this Part.

- c) In the event the notification of proposed rulemaking fails to include the information required by this Section, the Small Business Assistance Bureau will so notify the issuing agency and request the information be submitted.

Section 300.400 Review

- a) Upon receipt of the information required by Section 300.300, the Small Business Assistance Bureau shall determine the impact on small business of the proposed rulemaking and prepare an impact analysis describing the effect on small businesses.

- b) The impact analysis may include information obtained from, but not limited to, the following:

- 1) data information services;
- 2) business associations;
- 3) business community;
- 4) meetings or hearings held by others regarding proposed rulemaking;
- 5) technical specialists in the appropriate field; and
- 6) issuing agency.

- c) The impact analysis shall be completed within forty-five days of the date of publication of the rule in the Illinois Register or within the first notice period. The analysis shall include the following:

- 1) A SUMMARY OF THE PROJECTED REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS OF THE PROPOSED RULE.
- 2) A DESCRIPTION OF THE TYPES AND AN ESTIMATE OF THE NUMBER OF SMALL BUSINESSES TO WHICH THE PROPOSED RULE WILL APPLY.
- 3) AN ESTIMATE OF THE ECONOMIC IMPACT WHICH THE REGULATION WILL HAVE ON THE VARIOUS TYPES OF SMALL BUSINESSES AFFECTED BY THE RULEMAKING.
- 4) A DESCRIPTION OF OR A LISTING OF ALTERNATIVES TO THE PROPOSED RULE WHICH WOULD MINIMIZE THE ECONOMIC IMPACT OF THE RULE. SUCH ALTERNATIVE MUST BE CONSISTENT WITH THE STATED OBJECTIVES OF THE APPLICABLE STATUTES AND

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REGULATIONS (Section 4.03(c)(1) - (4) of the Act).

- d) Pursuant to Section 4.03(c) of the Act, the Small Business Assistance Bureau shall submit a copy of the impact analysis in writing to the issuing agency and the Joint Committee on Administrative Rules during the first notice period.

- e) The Department retains the right, under its general policy of advocating for small businesses, to review any proposed rulemaking published in the Illinois Register which it determines may impact small businesses, regardless of notification by an issuing agency or request by the Joint Committee on Administrative Rules. In such cases, the Department will notify the issuing agency that an impact analysis will be prepared with no action required on the part of the issuing agency.

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Section 300.Appendix A Business Impact Analysis

form(s) referenced in the proposed rule, please attach and submit with this form to:

Agency: _____ Contact Person: _____

Heading of the Part: _____

Administrative Code Citation: _____

1. What do you perceive to be the overall economic impact on businesses that will be regulated by the proposed rulemaking?

Please check: Positive _____ Negative _____ No impact _____

2. If known, specify the:

- A. total number of businesses impacted: _____
B. approximate economic impact per business in dollars \$ _____
C. types of small businesses impacted by the proposed rule: _____

- D. description of the type(s) of professional personnel or skills necessary for implementation or compliance: _____

3. Will the proposed rules result in a change in existing: license fees; reporting requirements; recordkeeping requirements, etc.? Please explain any increase, decrease, or change: _____

4. If there are new reporting requirements, how often must they be completed (daily, weekly, monthly, etc.)? _____

5. Were any alternatives considered to minimize the burden on small businesses? Yes _____ No _____

If yes, please describe the alternatives considered and if they were rejected explain why.

If your agency maintains a list of regulated entities impacted by these proposed rules, or if you can provide any additional information, including a copy of any

DCCA
Small Business Assistance Bureau
Manager, Office of Regulatory Flexibility and Legislative Research
100 W. Randolph St. Suite 3-400
Chicago, Illinois 60601

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED REPEALER

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED REPEALER

- 1) The Heading of the Part: Electric Utility Forecasting
(General Order 215)
- 2) Code Citation: 83 Ill. Adm. Code 435
- 3) Section Numbers: Adopted Action:
435.10 Repealed
435.20 Repealed
435.30 Repealed
435.40 Repealed
435.50 Repealed
435.60 Repealed
- 4) Statutory Authority: Implementing Sections 8-101 and 8-501 authorized by Section 10-101 of The Public Utilities Act (Ill. Rev. Stat. 1987, ch. 111 2/3, pars. 8-101, 8-501, and 10-101).
- 5) Effective Date of Repealer: May 25, 1989
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this repealer contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: May 17, 1989
- 9) Notice of Proposal in Illinois Register:
January 6, 1989, 13 Ill. Reg. 3
- 10) Has JCAR issued a Statement of Objection to this repealer?
No.
- 11) Differences between proposal and final version: None.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No
changes necessary.
- 13) Will this repealer replace an emergency repealer currently in effect? No.
- 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of Repealer: The subject matter of these rules has been dealt with in 83 Ill. Adm. Code 440. The information required by Part 435 is included in the information filed pursuant to Part 440.

- 16) Information and questions regarding this adopted repealer shall be directed to:

Conrad Rubinkowski
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62706
(217)785-3922

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

1) THE HEADING OF THE PART: Sport Fishing Regulations for the Waters of Illinois

2) CODE CITATION: 17 Ill. Adm. Code 810

3) SECTION NUMBERS: ADOPTED ACTION:

810.30 Amendments
810.40 Amendments
810.70 Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1987, ch. 56, pars. 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1)

5) EFFECTIVE DATE OF AMENDMENTS: May 19, 1989

6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: May 16, 1989

9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: February 10, 1989
13 Ill. Reg. 1690

10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES? No

11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

In Section 810.30, the following site was added: "Franklin Creek in Franklin Creek State Natural Area except that all fishing is prohibited in any area from Mondays Bridge upstream to the State property line east of headquarters, and in an area from a point 300' upstream of trail marker 0, upstream to trail marker 4."

In Section 810.40(c)(1), "Hennepin Canal" was removed.

In Section 810.40(c)(2)(B)(vii), "Heidecke Lake" should appear with strike-outs through the language. It is existing language which is to be deleted.

In Section 810.40(c)(8)(B)(vi), the "on" should be replaced with "or" in line 2.

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

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14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

15) SUMMARY AND PURPOSE OF AMENDMENTS: Based upon the results of biological surveys and subsequent data analyses, the Department of Conservation, Division of Fisheries has determined that these amendments to Sections 810.30, 810.40 and 810.70 are necessary for the maintenance and/or production of quality fisheries in State-managed waters.

All modifications to this Part were generated by our District Fisheries Managers and Program Project Managers, reviewed by the Fisheries Administrative Review Committee, evaluated by our Chief Staff and approved by the Chief of the Division of Fisheries. Data pertaining to the need for these regulatory changes are maintained by the Fisheries Division and are available for examination upon request.

16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFEPART 810
SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section	
810.10	Sale of Fish
810.20	Snagging
810.30	Pole and Line Fishing Only
810.40	Daily Catch and Size Limits
810.50	Bait Fishing
810.60	Bullfrogs
810.70	Free Fishing Days
810.80	Emergency Protective Regulations
810.90	Tagged Fishing Tournament Permit

AUTHORITY: Implementing and authorized by Sections 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1987, ch. 56, pars. 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1)

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendments at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendments at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency amendments at 12 Ill. Reg. 10225, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989.

Section 810.30 Pole and Line Fishing Only

Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached while fishing in the following waters, except as indicated, and except that legal size cast nets, (in accordance with Section 810.50(a)(1)) shad scoops, and minnow seines may be used to obtain shad, minnows, and crayfish to use as bait, provided that they are not sold:

Argyle Lake, Argyle Lake State Park, McDonough County

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Ashley Reservoir, City of Ashley, Washington County

Baldwin Lake, Baldwin Lake Conservation Area, Randolph and St. Clair Counties

Banner Marsh Lakes and Ponds, Banner Marsh State Fish and Wildlife Area, Peoria County and Fulton Counties, except that carp, buffalo, suckers and gar may be taken by bow and arrow devices or spears during May and June

Beall Woods Lake, Beall Woods Conservation Area, Wabash County

Beaver Dam Lake, Beaver Dam State Park, Macoupin County

Borah Lake, City of Olney, Richland County

Canton Lake, City of Canton, Fulton County

Cedar Lake, U.S. Forest Service and City of Carbondale, Jackson County

Champaign County Forest Preserve Park Ponds, Champaign County Forest Preserve, Champaign County

Charleston Side Channel Lake, City of Charleston, Coles County

Charlie Brown Park Lake and Pond, City of Flora, Clay County

Citizen's Lakes (North and South), City of Monmouth, Warren County

Clinton Lake, Clinton Lake State Recreation Area, DeWitt County, except that sport fishermen will be allowed to use trot lines, jug fishing and bank poles in the portions of the impoundment that lie north of the Davenport Bridge and northeast of the Parnell Bridge

Coleta Trout Ponds, State of Illinois, Whiteside County

Cook County Forest Preserve District Lakes (Arrowhead Lake, Axehead Lake, Beck Lake, Belleau Lake, Belly Deep Slough, Big Bend Lake, Bode Lake, Bullfrog Lake, Busse Lake, Cermak Quarry, Deer Grove Lake, Flatfoot Lake, Horsetail Lake, Ida Lake, Joe's Pond, Maple Lake, McGinnis Slough, Midlothian Reservoir, Papoose Lake, Potawatomi Slough, Powderhorn Lake, Saganashkee Slough, Sag Quarry East, Sag Quarry West, Schiller Pond, Skokie Lagoons, Tampier Lake, Tuma Lake, Turtlehead Lake and Wampum Lake), Cook County

Coulterville City Lake, City of Coulterville, Randolph County

Crab Orchard Lake, Crab Orchard National Wildlife Refuge, Williamson County, except that sport fishermen will be allowed to use trot lines, bank poles and jugs, and except that the use and aid of underwater

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NOTICE OF ADOPTED AMENDMENTS

breathing devices for the purpose of taking channel catfish and flathead catfish is prohibited

Crawford County Conservaton Area Ponds, Crawford County

Dawson Lake and Park Ponds, Moraine Veiw State Park, McLean County

Decatur Park District Ponds, City of Decatur, Macon County

Defiance, Tomahawk, Warrior and Wilderness Lakes, Moraine Hills State Park,
McHenry County

Devil's Kitchen Lake, U.S. Fish and Wildlife Service, Williamson County

Dolan Lake, Hamilton County Conservation Area, Hamilton County

Dutchman Lake, Shawnee National Forest, Johnson County

East Fork Lake, City of Olney, Richland County

Ferne Clyffe Lake, Ferne Clyffe State Park, Johnson County

Fitch and Bond Lake, Canton Park District, Fulton County

Forbes Lake and Ponds, Stephen A. Forbes State Park, Marion County
except that carp, buffalo, and bowfin may be taken by pitchfork, bow and
arrow devices and gigs

Forest Park Lagoon, City of Shelbyville, Shelby County

Frank Holten Lakes, Frank Holten State Park, St. Clair County

Franklin Creek in Franklin Creek State Natural Area, except that all
fishing is prohibited in any area from Mondays Bridge upstream to the
State property line east of headquarters, and in an area from a point 300'
upstream of trail marker 0, upstream to trail marker 4.

Gale Lake, Knox County

Gillespie Old City Lake, City of Gillespie, Macoupin County

Gladstone Lake, Henderson County Conservation Area, Henderson County

Heidecke Lake, Goose-Lake-Prairie-State-Park State Fish and Wildlife
Area, Grundy County

Hennepin Canal and Feeder Canal, Hennepin Canal Parkway State Park,
Bureau, Henry, Rock Island, and Whiteside Counties, except that jug fishing

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NOTICE OF ADOPTED AMENDMENTS

is permitted from the hours of sunset to sunrise, and except that carp
and buffalo may be taken by bow and arrow devices during May and June.
All jugs must have owner's/user's name and complete address affixed.

Hidden Springs State Forest Ponds, Shelby County

Homer Lake, Champaign County Forest Preserve District, Champaign
County

Hornel Ponds, Donnelly State Fish and Wildlife Area, Bureau County,
except that carp, buffalo, suckers and gar may be taken by bow and arrow
devices or spears during May and June.

Horseshoe Lake, Horseshoe Lake Conservation Area, Alexander County

Horseshoe Lake, Horseshoe Lake State Park, Madison County, except that
sport fishermen may use trot lines but they must be set at least 200 feet
from shore

Horton Lake, Nauvoo State Park, Hancock County

Illinois Department of Transportation Lake, State of Illinois, Sangamon
County

Illinois and Michigan Canal, State of Illinois, Grundy and LaSalle Counties

Illinois Beach State Park, Illinois Beach State Park, Lake County

Johnson Sauk Trail Lake and Ponds, Johnson Sauk Trail State Park, Henry
County

Jones Park Lake, City of East St. Louis, St. Clair County

Jones State Lake, Saline County Conservation Area, Saline County

Jubilee College State Park Ponds, Jubilee College State Park, Peoria County

Kickapoo State Park Lakes and Ponds, Vermilion County

Lake Carlton, Morrison-Rockwood State Park, Whiteside County

Lake Charleston, City of Charleston, Coles County

Lake County Forest Preserve District (Acorn Pond, Banana Pond, Lake,
Beaver Pond, Greenbelt Lake #1, Greenbelt Lake #2, Heron Pond, Old
School Pond, Sterling Lake, Taylor Lake, and Wright Woods Pond), Lake
County

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Lake Decatur, City of Decatur, Macon County

Lake George, Loud Thunder Forest Preserve, Rock Island Forest Preserve District, Rock Island County

Lake Glendale, Shawnee National Forest, Pope County

Lake Jacksonville, City of Jacksonville, Morgan County

Lake Kakusha, City of Mendota, LaSalle County

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park, Stephenson County

~~Lake Mattoon, City of Mattoon, Coles County~~

Lake Milliken, Des Plaines Conservation Area, Will County

Lake Mingo, Vermillion County Conservation Area, Vermillion County

Lake Murphysboro, Lake Murphysboro State Park, Jackson County

Lake Nellie, City of St. Elmo, Fayette County

Lake of the Woods and Elk's Pond, Champaign County Forest Preserve District, Champaign County

Lake Paradise, City of Mattoon, Coles County

Lake Paradise, Shadow Ponds, City of Mattoon, Coles County

Lake Shelbyville Management Area Ponds, Lake Shelbyville Wildlife Management Area, Moultrie County

Lake Shelbyville Project Ponds and Woods Lake (but not Lake Shelbyville), U. S. Army Corps of Engineers, Moultrie and Shelby Counties

Lake Storey, City of Galesburg, Knox County

Lake Vandalia, City of Vandalia, Fayette County

LaSalle Lake, LaSalle Power Station, LaSalle County

Lincoln Log Cabin State Park Pond, Coles County

Lincoln Trail Lake, Lincoln Trail State Park, Clark County

Little Cedar Lake, Shawnee National Forest, Jackson County

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Little Grassy Lake, U.S. Fish and Wildlife Service, Williamson County

Little Sister Lake, County of Fulton, Fulton County

Lyerla Lake, Union County Conservation Area, Union County

Macon County Conservation District Ponds, Macon County

Marshall County Conservation Area (Fishing Ditch Portion), Marshall County

Mattoon Lake, City of Mattoon, Coles County

~~Mazonia State Fish and Wildlife Area, Grundy County~~

Mermet State Lake, Mermet Lake Conservation Area, Massac County

Mill Creek Lake, Clark County Park District, Clark County

Miller Park Lake, City of Bloomington, McLean County

Mt. Olive Old and New City Lakes, City of Mt. Olive, Macoupin County

Mundelein Park District (Diamond Lake and Knoll Park Pond), City of Mundelein, Lake County

Nashville City Lake, City of Nashville, Washington County

Newton Lake, Newton Lake State Fish and Wildlife Area, Jasper County

Oakland City Lake, City of Oakland, Coles County

One Horse Gap Lake, Shawnee National Forest, Gallatin County

Pana Lake, City of Pana, Shelby and Christian Counties

Paris East and West Lakes, City of Paris, Edgar County

~~Park Ponds, Champaign County - Middle Fork Forest - Preserve - Park Champaign County~~

Pierce Lake, Rock Cut State Park, Winnebago County, except that sport fisherman may take carp by means of pitchfork, bow and arrow devices, and gigs during May and June

Pounds Hollow Lake, Shawnee National Forest, Gallatin County

Powerton Lake, Powerton Lake Fish and Wildlife Area, Tazewell County

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Pyramid State Park Lakes and Ponds, Perry County
 Ramsey Lake, Ramsey Lake State Park, Fayette County
 Randolph County Lake, Randolph County Conservation Area, Randolph County
 Red Hills Lake, Red Hills State Park, Lawrence County
 Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties
 Rock Springs Pond, Macon County Conservation District, Macon County
 Sam Dale Conservation Area Lake and Pond, Wayne County
 Sam Parr Lake, Sam Parr State Park, Jasper County
 Sangchris Lake State Park Lake and Ponds, Sangamon and Christian Counties
 Shabbona Lake, Shabbona Lake State Park, DeKalb County
 Siloam Springs Lake, Siloam Springs State Park, Adams County
 Silver Springs State Park Lake and Ponds, Kendall County
 Sparta City Lakes, City of Sparta, Randolph County
 Spring Lake (North and South), Spring Lake Conservation Area, Tazewell County, except that carp and buffalo may be taken by bow and arrow devices during May and June
 Tecumseh Lake, Shawnee National Forest, Hardin County
 Turner Lake, Chain O'Lakes State Park, Lake County
 Tuscola City Lake, City of Tuscola, Douglas County
 Villa Grove West Lake, City of Villa Grove, Douglas County
 Virginia City Reservoir, City of Virginia, Cass County
 Walnut Point Lake, Walnut Point State Park, Douglas County
 Washington County Lake, Washington County Conservation Area, Washington County

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Weinberg-King Pond, Weinberg-King State Park, Schuyler County
 Weldon Springs Lake, Weldon Springs State Park, DeWitt County
 Whoopie Cat Lake, Shawnee National Forest, Hardin County
 Wolf Lake, William W. Powers Conservation Area, Cook County
 Woodford County Conservation Area (Fishing Ditch Portion of the Area), Woodford County
 Wyman Lake, City of Sullivan, Moultrie County

(Source: Amended at 13 Ill. Reg. 8419, effective May 19, 1989)

Section 810.40 Daily Catch and Size Limits

- a) Length is measured from the tip of the snout to the end of the tail with the fish laid flat on a ruler, with mouth closed and tail lobes pressed together
- b) No Person may remove the head or tail of fishes to which length limits apply while on the waters to which length limits apply. Regardless of where taken, no fish less than the specified minimum length or more than the daily catch shall be possessed on the waters to which length limits and/or daily catch limits apply.
- c) Limits by type of fish
 - i) CHANNEL CATFISH
 - A) Statewide Regulations.
 There are no daily catch or size limits except in those waters listed under Site Specific Regulations.
 - B) Site Specific Regulations.
 - i) All channel catfish taken must be 14 inches in total length or longer in the following waters:
 Fox Ridge Lake, Fox Ridge State Park, Coles County
 - ii) Daily catch limit is 6 channel catfish in the following waters:
 Allison Lake, City of Allison, Logan County

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Andover Lake, City of Andover, Henry County
Argyle Lake, Argyle Lake State Park, McDonough County
Ashland Reservoir, City of Ashland, Cass County
Ashley Reservoir, City of Ashley, Washington County
Banner Marsh Lakes and Ponds, Banner Marsh State Fish and Wildlife Area, Peoria County and Fulton Counties
Bay Creek Lake, U.S. Forest Service, Pope County
Beall Woods Lake, Beall Woods Conservation Area, Wabash County
Beaver Dam Lake, Beaver Dam State Park, Macoupin County
Borah Lake, City of Olney, Richland County
Buckner City Reservoir, City of Buckner, Franklin County
Bunker Hill Lake, City of Bunker Hill, Macoupin County
Burrells Wood Park Pond, White County
Canton Lake, City of Canton, Fulton County
Carthage Lake, City of Carthage, Hancock County
Champaign County Forest Preserve Park Ponds, Champaign County Forest Preserve, Champaign County
Charleston Side Channel Lake, City of Charleston, Coles County
Charlie Brown Park Lake and Pond, City of Flora, Clay County
Citizen's Lakes (North and South), City of Monmouth, Warren County
Cook County Forest Preserve District (Busse Lake, Maple Lake and Tampier Lake), Cook County

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Coulterville City Lake, City of Coulterville, Randolph County
Crawford County Conservation Area Ponds, Crawford County
Dawson Lake and Park Ponds, Moraine View State Park, McLean County
Decatur Park District Ponds, City of Decatur, Macon County
Defiance, Tomahawk, Warrior and Wilderness Lakes, Moraine Hills State Park, McHenry County
Dolan Lake, Hamilton County Conservation Area, Hamilton County
Dutchman Lake, Shawnee National Forest, Johnson County
East Fork Lake, City of Olney, Richland County
Eldorado New City Lake, City of Eldorado, Saline County
Elwood City Lake, City of Elwood, Will County
Ferne Clyffe Lake, Ferne Clyffe State Park, Johnson County
Fitch and Bond Lake, Canton Park District, Fulton County
Forbes State Lake and Ponds, Stephen A. Forbes State Park, Marion County
Forest Park Lagoon, City of Shelbyville, Shelby County
Four Lakes, Winnebago County Forest Preserve, Winnebago County
Fox Ridge Lake, Fox Ridge State Park, Coles County
Frank Holten Lakes, Frank Holten State Park, St. Clair County

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Gale Lake, City of Galesburg, Knox County

Gillespie New City Lake, City of Gillespie, Macoupin County

Gillespie Old City Lake, City of Gillespie, Macoupin County

Gladstone Lake, Henderson County Conservation Area, Henderson County

Greenfield Old City Lake, Kingsbury Park District, Bond County

Harrisburg New City Reservoir, City of Harrisburg, Saline County

Heidecke Lake, Goose Lake-Prairie State Park State Fish and Wildlife Area, Grundy County

Herrick Lake, DuPage County

Hidden Springs State Forest Ponds, Shelby County

Highland Old City Lake, City of Highland, Madison County

Hillsboro Old City Lake, City of Hillsboro, Montgomery County

Homer Lake, Champaign County Forest Preserve District, Champaign County

Hornel Ponds, Donnelly State Fish and Wildlife Area, Bureau County

Horseshoe Lake, Horseshoe Lake Conservation Area, Alexander County

Horton Lake, Nauvoo State Park, Hancock County

I&M Canal, Grundy and LaSalle Counties

Illinois Beach State Park Ponds, Illinois Beach State Park, Lake County

Illinois Department of Transportation Lake, Illinois Department of Transportation, Sangamon County

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Johnson Sauk Trail Lake and Pond, Johnson Sauk Trail State Park, Henry County

Jones Park Lake, City of East St. Louis, St. Clair County

Jones State Lake, Saline County Conservation Area, Saline County

Jubilee College State Park Ponds, Jubilee College State Park, Peoria County

Kendall County Lake #1, County of Kendall, Kendall County

Kickapoo State Park Lakes and Ponds, Vermilion County

Lake Atwood, McHenry County Conservation District, McHenry County

Lake Carlton, Morrison-Rockwood State Park, Whiteside County

Lake County Forest Preserve District (Banana Lake, Greenbelt Lake #1, Greenbelt Lake #2, Old School Pond, Sterling Lake, Taylor Lake, and Wright Woods Pond), Lake County

Lake George, Loud Thunder Forest Preserve, Rock Island Forest Preserve District, Rock Island County

Lake Glendale, Shawnee National Forest, Pope County

Lake Jacksonville, City of Jacksonville, Morgan County

Lake Kakusha, City of Mendota, LaSalle County

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park, Stephenson County

Lake Mendota, City of Mendota, LaSalle County

Lake Milliken, Des Plaines Conservation Area, Will County

Lake Mingo, Vermilion County Conservation District, Vermilion County

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Lake Murphysboro, Lake Murphysboro State Park, Jackson County

Lake Nellie, City of St. Elmo, Fayette County

Lake Paradise Shadow Ponds, City of Mattoon, Coles County

Lake of the Woods and Elks Pond, Champaign County Forest Preserve District, Champaign County

Lake Shelbyville Management Area Ponds, Lake Shelbyville Wildlife Management Area, Moultrie County

Lake Shelbyville Project Ponds and Woods Lake (but not Lake Shelbyville), U. S. Army Corps of Engineers, Moultrie and Shelby Counties

Lake Storey, City of Galesburg, Knox County

Lake Vandalia, City of Vandalia, Fayette County

Lake Williamsville, City of Williamsville, Sangamon County

Lincoln Trail Lake, Lincoln Trail State Park, Clark County

Little Cedar Lake, Shawnee National Forest, Jackson County

Little Grassy Lake, U.S. Fish and Wildlife Service, Williamson County

Little Sister Lake, County of Fulton, Fulton County

Lyerla Lake, Union County Conservation Area, Union County

McCullom Lake, McHenry County Conservation District, McHenry County

Mermet Lake, Mermet Lake Conservation Area, Massac County

Mill Creek Lake, Clark County Park District, Clark County

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Miller Park Lake, City of Bloomington, McLean County
Monsee Reservoir, Will County Forest Preserve District, Will County

Montrose Lake, City of Montrose, Effingham County

Mt. Olive City Lakes, City of Mt. Olive, Macoupin County

Mt. Sterling Lake, City of Mt. Sterling, Brown County

Mundelein Park District (Diamond Lake and Knoll Park Pond), City of Mundelein, Lake County

Nashville City Lake, City of Nashville, Washington County

Oakhurst Lake, City of Aurora, Kane County

Oakland City Lake, City of Oakland, Coles County

One Horse Gap Lake, Shawnee National Forest, Pope County

Palmyra City Lake and Terry Park Pond, City of Palmyra, Macoupin County

Pana Lake, City of Pana, Shelby and Christian Counties

Paris East and West Lakes, City of Paris, Edgar County
Park-Ponds, Champaign County-Middle-Fork-Forest Preserve-Park, Champaign County

Pierce Lake, Rock Cut State Park, Winnebago County

Pocahontas Park Pond, City of Pocahontas, Bond County

Pounds Hollow Lake, Shawnee National Forest, Gallatin County

Powerton Lake, Powerton Lake Conservation Area, Tazewell County

Pratts Wayne Woods Lakes, DuPage County Forest Preserve, DuPage County

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Pyramid State Park Lakes and Ponds, Perry County
 Ramsey Lake, Ramsey Lake State Park, Fayette County
 Randolph County Lake, Randolph County Conservation Area, Randolph County
 Red Hills Lake, Red Hills State Park, Lawrence County
 Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties
 Rock Springs Pond, Macon County Conservation District, Macon County
 Roodhouse Park Lake, City of Roodhouse, Greene County
 Rust Lake, Baldwin Fish and Wildlife Area, Randolph County
 Sam Dale Conservation Area Lake and Ponds, Wayne County
 Sam Parr Lake, Sam Parr State Park, Jasper County
 Sand Lake, Illinois Beach State Park, Lake County
 Senior Citizen's Pond, Kankakee River State Park, Kankakee County
 Shabbona Lake, Shabbona Lake State Park, DeKalb County
 Shawnee National Forest Lakes and Ponds, Shawnee National Forest, all counties
 Siloam Springs Lake, Siloam Springs State Park, Adams County
 Silver Springs State Park Lakes and Ponds, Kendall County
 Sparta City Lakes, City of Sparta, Randolph County

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Spring Lake, City of Macomb, McDonough County
Spring Lake North and South, Spring Lake Conservation Area, Tazewell County
Staunton City Lake, City of Staunton, Macoupin County
Tecumseh Lake, Shawnee National Forest, Hardin County
Turner Lake, Chain O'Lakes State Park, Lake County
Tuscola City Lake, City of Tuscola, Douglas County
Vandalia Correctional Facility Ponds, State of Illinois, Marion County
Vanhorn Woods Pond, Will County Forest Preserve District, Will County
Villa Grove West Lake, City of Villa Grove, Douglas County
Virginia City Reservoir, City of Virginia, Cass County
Walnut Point Lake, Walnut Point State Park, Douglas County
Walton Park Lake, City of Litchfield, Montgomery County
Washington County Lake, Washington County Conservation Area, Washington County
Waverly Lake, City of Waverly, Morgan County
Weinberg-King Pond, Weinberg-King State Park, Schuyler County
Weldon Springs Lake, Weldon Springs State Park, DeWitt County
West Frankfort New City Lake, City of West Frankfort, Franklin County
West Frankfort Old City Lake, City of West Frankfort, Franklin County

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White Hall City Lake, City of White Hall, Greene County

Whoopie Cat Lake, Shawnee National Forest, Hardin County

Wolf Lake, William W. Powers Conservation Area, Cook County

Wyman Lake, City of Sullivan, Moultrie County

2) LARGEMOUTH BASS, SMALLMOUTH BASS, SPOTTED BASSA) Statewide Regulations.

Daily catch limit is 6 bass, either singly or in the aggregate, except as specified under Site Specific Regulations. There is no size limit except in those waters listed under Site Specific Regulations.

B) Site Specific Regulations.

- i) All largemouth bass and smallmouth bass taken must be 12 inches in total length or longer in the following waters:

That portion of the Mississippi River that lies between the States of Illinois and Iowa (River Miles 361.4 to 580.7).

- ii) All largemouth bass taken must be 12 inches in total length or longer in the following waters:

U.S. Forest Service Lakes and Ponds less than 10 surface acres, U.S. Department of Agriculture, Multiple Counties Southern Illinois.

- iii) All largemouth or smallmouth bass taken must be 14 inches in total length or longer in the following waters:

Banner Marsh Lakes and Ponds, Banner Marsh State Fish and Wildlife Area, Peoria County and Fulton Counties

Borah Lake, City of Olney, Richland County

Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up to the U.S. Army Corps of Engineers Carlyle Lake

Project boundaries) U.S. Army Corps of Engineers, Bond, Clinton, and Fayette Counties

Champaign County Forest Preserve Park Ponds, Champaign County Forest District, Champaign County

Charleston Side Channel Lake, City of Charleston, Coles County

Charlie Brown Lake and Pond, City of Flora, Clay County

Clinton Lake, Clinton Lake State Recreation Area, DeWitt County

Defiance, Tomahawk, Warrior and Wilderness Lakes, Moraine Hills State Park, McHenry County

Dolan Lake, Dolan Lake Conservation Area, Hamilton County

Forbes State Lake and Ponds, Forbes State Fish and Wildlife Area, Marion County

Fox Chain O'Lakes, including the Fox River South of the Illinois-Wisconsin Line to the McHenry Dam, State of Illinois, Lake and McHenry Counties

Fox Ridge Lake, Fox Ridge State Park, Coles County

Frank Holten Lakes, Frank Holten State Park, St. Clair County

Hennepin Canal, Hennepin Canal Parkway State Park, Rock Island, Henry, Bureau and Whiteside Counties

Hennepin Canal Mainline and Feeder, Hennepin Canal State Park, Rock Island, Henry, Bureau and Whiteside Counties

Hidden Springs State Forest Ponds, Shelby County

Homer Lake, Champaign County Forest Preserve District, Champaign County

Hornel Ponds, Donnelly State Fish and Wildlife Area, Bureau County

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Horseshoe Lake, Horseshoe Lake Conservation Area,
Alexander County

Johnson Sauk Trail Lake and Pond, Johnson Sauk Trail
State Park, Henry County

Jones State Lake, Glen O. Jones Conservation Area,
Saline County

Lake Carlton, Morrison-Rockwood State Park,
Whiteside County

Lake Decatur, City of Decatur, Macon County

Lake George, Loud Thunder Forest Preserve, Rock
Island Forest Preserve District, Rock Island County

Lake Kakusha, City of Mendota, LaSalle County

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park,
Stephenson County

Lake Nellie, City of St. Elmo, Fayette County

Lake of the Woods and Elk's Pond, Champaign County
Forest Preserve District, Champaign County

Lake Paradise and Shadow Ponds, City of Mattoon,
Coles County

Lake Shelbyville (including its tributary streams and
those portions of the West Okaw and Kaskaskia Rivers
up to Lake Shelbyville Project boundaries), Lake
Shelbyville Project Ponds and Woods Lake, U.S. Army
Corps of Engineers, Shelby and Moultrie Counties

Lake Sara, City of Effingham, Effingham County

Lake Shelbyville Management Area Ponds, Lake
Shelbyville Wildlife Management Area, Moultrie County

Lake Vandalia, City of Vandalia, Fayette County

Mattoon Lake, City of Mattoon, Coles County

Mermet Lake, Mermet Lake Conservation Area, Massac
County

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Oakland City Lake, City of Oakland, Coles County

Pana Lake, City of Pana, Shelby and Christian Counties

Paris East and West Lakes, City of Paris, Edgar County

~~Park Ponds, Champaign County; Middle Fork Park
Forest Preserve Park, Champaign County~~

Peelman Lake, Kickapoo State Park, Vermilion County

Pierce Lake, Rock Cut State Park, Winnebago County

Powerton Lake, Powerton Lake Conservation Area,
Tazewell County

Ramsey Lake, Ramsey Lake State Park, Fayette
County

Randolph County Lake, Randolph County Conservation
Area, Randolph County

Rend Lake and Rend Lake Project Ponds, U.S. Army
Corps of Engineers, Franklin and Jefferson Counties

Sam Dale Lake, Sam Dale Conservation Area, Wayne
County

Sand Lake, Illinois Beach State Park, Lake County

Shabbona Lake, Shabbona Lake State Park, DeKalb
County

Spring Lake (North and South), Spring Lake
Conservation Area, Tazewell County

~~Turner Lake, Chain O' Lakes State Park, Lake County~~

Tuscola City Lake, City of Tuscola, Douglas County

Villa Grove West Lake, City of Villa Grove, Douglas
County

Washington County Lake, Washington County
Conservation Area, Washington County

Weldon Springs Lake, Weldon Springs State Park,
Dewitt County

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Wolf Lake, Wolf Lake Conservation Area, Cook County

- iv) All largemouth or smallmouth bass taken must be less than 12 inches in total length or greater than 15 inches in total length in the following waters:

Argyle Lake, Argyle Lake State Park, McDonough County

Citizen's Lakes (North and South), City of Monmouth, Warren County

Dawson Lake, Moraine View State Park, McLean County

Devil's Kitchen Lake, Crab Orchard Refuge, U.S. Fish and Wildlife Service, Williamson County

East Fork Lake, City of Olney, Richland County

Gillespie New City Lake, City of Gillespie, Macoupin County

Gladstone Lake, Henderson County Conservation Area, Henderson County

Lake Mingo and Ponds at Kennekuk Cove Park, Vermilion County Conservation District, Vermilion County

Lake Storey, City of Galesburg, Knox County

Little Grassy Lake, Crab Orchard Refuge, U.S. Fish and Wildlife Service, Williamson County

Mill Creek Lake, Clark County Park District, Clark County

Siloam Springs Lake, Siloam Springs State Park, Adams and Brown Counties

Walnut Point, Walnut Point State Park, Douglas County

- v) All largemouth (or smallmouth) bass taken must be 15 inches in total length or longer in the following waters:

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Ashley Reservoir, City of Ashley, Washington County

Beall Woods Lake, Beall Woods Conservation Area, Wabash County

Beaver Dam Lake, Beaver Dam State Park, Macoupin County

Cedar Lake, U.S. Fish and Wildlife Service Forest Service and City of Carbondale, Jackson County

Centralia Lake, City of Centralia, Marion County

Coffeen Lake, Coffeen Lake Fish and Wildlife Area, Montgomery County

Crab Orchard Lake and Refuge Ponds, except Visitor Pond, Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service, Williamson County

Crawford County C.A. Ponds, Crawford County Conservation Area, Crawford County

Diamond Lake, Lake County

Gale Lake, Knox County

Gillespie Old City Lake, City of Gillespie, Macoupin County

Glen Shoals Lake, City of Hillsboro, Montgomery County

Governor Bond Lake, City of Greenville, Bond County

Lake County Forest Preserve District Lakes, County of Lake, Lake County

Lake Jacksonville, City of Jacksonville, Morgan County

Lake Murphysboro, Murphysboro State Park, Jackson County

Lake Springfield, City of Springfield, Sangamon County

Lake Williamsville, City of Williamsville, Sangamon County

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Little Sister Lake, Canton Park District, Fulton County

Otter Lake, Otter Lake Water Commission, Macoupin County

Red Hills Lake, Red Hills State Park, Lawrence County

Sam Parr State Park, Jasper County

Sangchris Lake, Sangchris Lake State Park, Sangamon and Christian Counties

Sparta City Lakes, City of Sparta, Randolph County

Turner Lake, Chain O'Lakes State Park, Lake County

Virginia City Reservoir, City of Virginia, Cass County

vi) No more than one (1) largemouth or smallmouth bass 15 inches in total length or longer and two (2) largemouth or smallmouth bass less than 15 inches in total length may be taken daily in the following waters:

Coffee Lake, Coffee Lake State Fish and Wildlife Area, Montgomery County

vii) All largemouth or smallmouth bass taken must be 18 inches in total length or longer in the following waters:

Baldwin Lake, Baldwin Lake Conservation Area, Randolph and St. Clair Counties

Heidecke Lake, Goose Lake-Prairie State Park, Grundy County

Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area, Jackson County

LaSalle Lake, LaSalle Power Station, LaSalle County

Nashville City Lake, City of Nashville, Washington County

Newton Lake, Newton Lake State Fish and Wildlife Area, Jasper County

viii) All smallmouth bass taken must be 18 inches in total length or longer in the following waters:

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LaSalle Lake, LaSalle Fish and Wildlife Area, LaSalle County

ix) Daily catch limit shall not exceed 3 largemouth bass or smallmouth bass, singly or in aggregate, in the following waters:

Beaver Dam Lake, Beaver Dam State Park, Macoupin County

Coffee Lake, Coffee Lake Fish and Wildlife Area, Montgomery County

Defiance, Tomahawk, Warrior and Wilderness Lakes, Moraine Hills State Park, McHenry County

Diamond Lake, City of Mundelein, Lake County

Gale Lake, City of Galesburg, Knox County

Gladstone Lake, Henderson County Conservation Area, Henderson County

Glen Shoals Lake, City of Hillsboro, Montgomery County

Governor Bond Lake, City of Greenville, Bond County

Heidecke Lake, Goose Lake-Prairie State Park State Fish and Wildlife Area, Grundy County

Lake Kakusha, City of Mendota, LaSalle County

Little Sister Lake, Fulton County

Newton Lake, Newton Lake State Fish and Wildlife Area, Jasper County

Randolph County Lake, Randolph County Conservation Area, Randolph County

Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties

Sangchris Lake, Sangchris Lake State Park, Sangamon and Christian Counties

x) All largemouth bass taken must be 18 inches in total length or longer in the following waters:

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Heidecke Lake State Fish and Wildlife Area, Grundy County

x)xi) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which may be greater than 15 inches in length and none of which may be greater than 12 inches but less than 15 inches in length, in the following waters:

Argyle Lake, Argyle Lake State Park, McDonough County

x)xi) Daily Catch limit shall not exceed one (1) largemouth bass or smallmouth bass in the following waters:

Banner Marsh Lakes and Ponds, Banner Marsh State Fish and Wildlife Area, Peoria and Fulton Counties

LaSalle Lake, LaSalle Fish and Wildlife Area, LaSalle County

Lake Carlton, Morrison-Rockwood State Park, Whiteside County

Lake County Forest Preserve District Lakes, Lake County Forest Preserve District, Lake County

Shabbona Lake, Shabbona Lake State Park, DeKalb County

Turner Lake, Chain O'Lakes State Park, Lake County

x)xi) All largemouth bass taken must be 21 inches in total length or longer in the following waters:

Visitor Pond, Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service, Williamson County

x)xi)xiv) All smallmouth bass caught from the waters of the South Branch of the Kishwaukee River in DeKalb, Ogle and Winnebago Counties must be immediately released back into the River at the location they were caught until July 1, 1989.

3) MUSKELLUNGE, NORTHERN PIKE AND THEIR HYBRIDS

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A) Statewide Regulations.

i) All muskellunge and muskellunge hybrids (tiger muskie) taken must be 30 inches in total length or longer.

ii) No more than 1 muskellunge or muskellunge hybrid (tiger muskie), either singly or in the aggregate may be taken per day.

iii) All northern pike taken must be 24 inches in total length or longer, except in the Mississippi River where there is no size limit.

iv) No more than 3 northern pike may be taken per day, except as specified under Site Specific Regulations.

B) Site Specific Regulations.

i) Daily catch limit shall not exceed 5 northern pike in that portion of the Mississippi River that lies between the State of Illinois and Iowa (River Miles 361.4 to 580.7).

ii) Daily catch limit shall not exceed 1 northern pike in that portion of the Mississippi River that lies between the States of Illinois and Missouri (River Miles 0.0 to 361.4).

4) CRAPPIE (BLACK AND WHITE CRAPPIE)

A) Statewide Regulations.

There are no catch or size limits except in those waters listed under Site Specific Regulations.

B) Site Specific Regulations.

i) All crappie taken from the following waters must be 9 inches in total length or longer:

Baldwin Lake, Baldwin Lake Conservation Area, Randolph and St. Clair Counties

Beaver Dam Lake, Beaver Dam State Park, Macoupin County

Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up to the U.S. Army Corps of Engineers Carlyle Lake

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~~project boundaries) - U.S. Army Corps of Engineers,
Bonds, Clinton and Fayette Counties~~

Clinton Lake, Clinton Lake State Recreation Area,
DeWitt County

Coffee Lake, Coffee Lake State Fish and Wildlife
Area, Montgomery County

Lake Shelbyville (including its tributary streams and
those portions of the West Okaw and Kaskaskia Rivers
up to Lake Shelbyville Project boundaries), Lake
Shelbyville Project Ponds and Woods Lake, U.S. Army
Corps of Engineers, Shelby and Moultrie Counties

Ramsey Lake, Ramsey Lake State Park, Fayette
County

Sangchris Lake, Sangchris Lake State Park, Sangamon
and Christian Counties

- ii) All crappie taken from the following waters must be
10 inches in total length or longer:

Carlyle Lake (including its tributary streams and those
portions of the Kaskaskia River and Hurricane Creek
up to the U.S. Army Corps of Engineers Carlyle Lake
project boundaries) U.S. Army Corps of Engineers,
Bond, Clinton and Fayette Counties

Newton Lake, Newton Lake State Fish and Wildlife
Area, Jasper County

- iii) The daily catch limit is 25 crappie in the following
waters:

Baldwin Lake, Baldwin Lake Conservation Area,
Randolph and St. Clair Counties

~~Carlyle Lake (including its tributary streams and those
portions of the Kaskaskia River and Hurricane Creek
up to the U.S. Army Corps of Engineers Carlyle Lake
project boundaries) - U.S. Army Corps of Engineers,
Bond, Clinton and Fayette Counties~~

Clinton Lake, Clinton Lake State Recreation Area,
DeWitt County

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Governor Bond Lake, City of Greenville, Bond County
Lake Shelbyville (including its tributary streams and
those portions of the West Okaw and Kaskaskia Rivers
up to Lake Shelbyville Project boundaries), Lake
Shelbyville Project Ponds and Woods Lake, U.S. Army
Corps of Engineers, Shelby and Moultrie Counties

Sangchris Lake, Sangchris Lake State Park, Sangamon
and Christian Counties

- iv) The daily catch limit is 10 crappie in the following
waters:

Beaver Dam Lake, Beaver Dam State Park, Macoupin
County

Carlyle Lake (including its tributary streams and those
portions of the Kaskaskia River and Hurricane Creek
up to the U.S. Army Corps of Engineers Carlyle Lake
project boundaries) U.S. Army Corps of Engineers,
Bond, Clinton and Fayette Counties

Coffee Lake, Coffee Lake State Fish and Wildlife
Area, Montgomery County

Lake Kakusha, City of Mendota, LaSalle County

Newton Lake, Newton Lake State Fish and Wildlife
Area, Jasper County

Ramsey Lake, Ramsey Lake State Park, Fayette
County

Shabbona Lake, Shabbona Lake State Park, DeKalb
County

- v) The daily catch limit is 5 crappie in the following
waters:

Lake Carlton, Morrison-Rockwood State Park,
Whiteside County

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park,
Stephenson County

Pierce Lake, Rock Cut State Park, Winnebago County

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5) BLUEGILL AND REDEAR SUNFISH

A) Statewide Regulations.

There are no catch or size limits except in those waters listed under Site Specific Regulations.

B) Site Specific Regulations.

- i) Daily catch limit is 25 bluegill and redear sunfish either singly or in the aggregate, in the following waters:

Beaver Dam Lake, Beaver Dam State Park, Macoupin County

Champaign County Forest Preserve Park Ponds,
Champaign County

Lake Mingo and Ponds at Kennekuk Cave Park,
Vermilion County Conservation District, Vermilion
County

Lake Murphysboro, Lake Murphysboro State Park,
Jackson County

Lake Storey, City of Galesburg, Knox County

Park Ponds, - Champaign County - Middle Fork - Forest
Preserve Park, - Champaign County

- ii) Daily catch limit is 10 bluegill and redear sunfish, either singly or in the aggregate, in the following waters:

Citizen's Lakes (North and South), City of Monmouth,
Warren County

Frank-Holten Lakes, Frank Holten State Park, St. Clair
County

Gale Lake, City of Galesburg, Knox County

Gladstone Lake, Henderson County Conservation Area,
Henderson County

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Lake Kakusha, City of Mendota, LaSalle County

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park,
DeKalb Stephenson County

Little Sister Lake, Canton Park District, Fulton County

Shabbona Lake, Shabbona Lake State Park, DeKalb
County

- iii) Daily catch limit is 5 bluegill and redear sunfish, either singly or in the aggregate, in the following waters:

Pierce Lake, Rock Cut State Park, Winnebago County

6) STRIPED BASS (OCEAN ROCKFISH), WHITE BASS AND HYBRIDS

A) Statewide Regulations.

There is no daily catch limit or minimum size limit for striped bass (ocean rockfish), white bass, and their hybrids which are less than 17 inches in total length, except in those waters listed under Site Specific Regulations. For these fish 17 inches in total length or longer, the daily limit is 3 fish, either singly or in the aggregate.

B) Site Specific Regulations.

- i) All striped bass (ocean rockfish), white bass and their hybrids taken in the following waters must be 17 inches in total length or longer and the daily catch limit is 3 fish, either singly or in the aggregate:

Baldwin Lake, Baldwin Lake Conservation Area,
Randolph and St. Clair Counties

Cedar Lake, U.S. Fish- and - Wildlife - Service Forest
Service and City of Carbondale, Jackson County

Charleston Side Channel Lake, City of Charleston,
Coles County

Clinton Lake, Clinton Lake State Recreation Area,
DeWitt County

Crab Orchard Lake, Crab Orchard Refuge, U.S. Fish
and Wildlife Service, Williamson County

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Forbes Lake, Stephen A. Forbes State Park, Marion County

Glen Shoals Lake, City of Hillsboro, Montgomery County

Governor Bond Lake, City of Greenville, Bond County

Lake Bloomington, City of Bloomington, McLean County

Lake Vandalia, City of Vandalia, Fayette County

Otter Lake, Otter Lake Water Commission, Macoupin County

Spring Lake, City of Macomb, McDonough County

Washington County Lake, Washington Conservation Area, Washington County

- ii) No more than 10 striped bass (ocean rockfish) white bass and their hybrids, either singly or in the aggregate, may be taken per day with no more than 3 fish measuring 17 inches or greater in length:

Heidecke Lake, Goose Lake-Prairie-State Park State Fish and Wildlife Area, Grundy County

LaSalle Lake, LaSalle Fish and Wildlife Area, LaSalle County

Powerton Lake, Powerton Lake State Fish and Wildlife Area, Tazewell County

7) TROUT AND SALMON

A) Statewide Regulations.

Daily catch limit is 5 trout or salmon, either singly or in the aggregate, not more than 3 of which may be lake trout.

B) Site Specific Regulations.

- i) All trout and salmon taken in Lake Michigan must be 10 inches in total length or longer.

- ii) All trout taken in Piscasaw Creek, McHenry County, must be 9" or longer in total length.

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- iii) The Department of Conservation will publicly announce in advance those areas that will be stocked during each spring and fall season.

- iv) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the first Saturday in April (both dates inclusive) which were taken during that period from the following waters:

Agricultural Center Pond, Dixon Springs Ag. Center, Pope County

Apple River, Jo Daviess County

Atwood Lake, McHenry County Conservation District, McHenry County

Big Lake, Silver Springs State Park, Kendall County

Bird Park Quarry, City of Kankakee, Kankakee County

Boston Pond, Stephen A. Forbes State Park, Marion County

Campus Pond, Eastern Illinois University, Coles County

Cave-in-Rock Pond, Cave-in-Rock State Park, Hardin County

Clear Lake, Kickapoo State Park, Vermilion County

Coleta Trout Pond, State of Illinois, Whiteside County

Ferne Clyffe Lake, Ferne Clyffe State Park, Johnson County

Forest Park Lagoon, City of Shelbyville, Shelby County

Frank Holten Main Lake, Frank Holten State Park, St. Clair County

Game Farm Pond, Mt. Vernon Game Farm, Jefferson County

Gebhard Woods Ponds, Gebhard Woods State Park, Grundy County

Hennepin Canal, Hennepin Canal Parkway State Park, Bureau County

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~~Hellens Lake, McHenry County Conservation District, McHenry County~~

Illinois Department of Transportation Lake, Sangamon County

Jones Park Lake, City of East St. Louis, St. Clair County

Jones State Lake Pond, Saline County Conservation Area, Saline County

Kent Creek, Winnebago County

Lake Milliken, Des Plaines Conservation Area, Will County

Lake of the Woods and Elk's Pond, Champaign County Forest Preserve District, Champaign County

~~Lakewood Forest Preserve - Lakes, Lakewood Forest Preserve, Lake-Car~~

Miller Park Lake, City of Bloomington, McLean County

Pine Creek, Ogle County

Piscasaw Creek, McHenry County

Rock Creek, Kankakee County

Rock Springs Pond, Macon Co. Conservation District, Macon County

Sam Dale Pond, Sam Dale Conservation Area, Wayne County

Sand Lake, Illinois Beach State Park, Lake County

Siloam Springs Lake, Siloam Springs State Park, Adams County

Silver Lake, Forest Preserve District of DuPage County, DuPage County

Waddams Creek, Stephenson County

Washington Park Pond, Springfield Park District, Sangamon County

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Wyman Lake, VillageCity of Sullivan, Moultrie County
Yellow Creek, Stephenson County

v) It shall be illegal to possess trout during the period of October 1 to 5 a.m. on the third Saturday in October (both dates inclusive) which were taken during that period from the following waters:

Agricultural Center Pond, Dixon Springs Ag. Center, Pope County

Argyle Lake, Argyle Lake State Park, McDonough County

Axehead Lake, Cook County Forest Preserve, Cook County

Banana Lake, Lake County Forest Preserve District, Lake County

Beall Woods Lake, Beall Woods State Park, Wabash County

Beaver Dam Lake, Beaver Dam State Park, Macoupin County

Belleau Lake, Cook County Forest Preserve, Cook County

Big Lake, Silver Springs State Park, Kendall County

Bird Park Quarry, City of Kankakee, Kankakee County

Boston Pond, Stephen A. Forbes State Park, Marion County

Campus Pond, Eastern Illinois University, Coles County

Canton Park District Trout Pond, Canton Park District, Fulton County

Cave-in-Rock Pond, Cave-in-Rock State Park, Hardin County

Citizen's Lakes-North, City of Monmouth, Warren County

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Clear Lake, Kickapoo State Park, Vermillion County

Coleta Trout Pond, State of Illinois, Whiteside County

Faries Park Pond, City of Decatur, Macon County

Ferne Clyffe Lake, Ferne Clyffe State Park, Johnson County

Forest Park Lagoon, City of Shelbyville, Shelby County

Frank Holten Main Lake, Frank Holten State Park, St. Clair County

Game Farm Pond, Mt. Vernon Game Farm, Jefferson County

Greenville Old City Lake, Greenville Park District, Bond County

Hennepin Canal, Hennepin Canal Parkway State Park, Bureau County

Highland Old City Lake, City of Highland, Madison County

Illinois Department of Transportation Lake, Sangamon County

Jones Park Lake, City of East St. Louis, St. Clair County

Jones State Lake Pond, Saline County Conservation Area, Saline County

Mineral Springs Park Lagoon, City of Pekin, Tazewell County

Picnic Pond, Crawford County Conservation Area, Crawford County

Prospect Pond, City of Moline, Rock Island County

Randolph County Lake, Randolph County State Park, Randolph County

Sag Quarry (East), Cook County Forest Preserve, Cook County

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Sam Dale Pond, Sam Dale Conservation Area, Wayne County

Siloam Springs Lake, Siloam Springs State Park, Adams County

Villa Grove West Lake, Village City of Villa Grove, Douglas County

Washington Park Pond, Springfield Park District, Sangamon County

8) **WALLEYE AND SAUGER**

A) Statewide Regulations.

Daily catch limit is 6 walleye or sauger, either singly or in the aggregate, except in those waters listed under Site Specific Regulations. There is no size limit except in those waters listed under Site Specific Regulations.

B) Site Specific Regulations.

i) All walleye and sauger taken must be 14 inches in total length or longer in the following waters:

Carlyle Lake, (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up to the U.S. Army Corps of Engineers Carlyle Lake Project boundaries) U.S. Army Corps of Engineers, Bond, Clinton, and Fayette Counties

Cedar Lake, U.S. Fish & Wildlife Service Forest Service and City of Carbondale, Jackson County

Clinton Lake, Clinton Lake State Recreation Area, DeWitt County

Dolan Lake, Hamilton County Conservation Area, Hamilton County

East Fork Lake, City of Olney, Richland County

Heidecke Lake, Goose Lake-Prairie-State-Park State Fish and Wildlife Area, Grundy County

Hennepin Canal, Hennepin Canal State Park, Rock Island, Henry, Bureau and Whiteside Counties

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Kaskaskia River and all tributaries, Champaign, Douglas, Coles, Moultrie, Shelby, Fayette, Bond, Clinton, Washington, St. Clair, Monroe and Randolph Counties

Kincaid Lake, Kincaid Lake Fish and Wildlife Area, Jackson County

Lake Bloomington, City of Bloomington, McLean County

Lake Carlton, Morrison-Rockwood State Park, Whiteside County

Lake Decatur, City of Decatur, Macon County

Lake George, Loud Thunder Forest Preserve, Rock Island Forest Preserve District, Rock Island County

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park, Stephenson County

Lake Mingo, Vermilion County Conservation District, Vermilion County

Lake Sara, City of Effingham, Effingham County

Lake Shelbyville, U. S. Army Corps of Engineers, Moultrie and Shelby Counties

Lake Vermilion and the portion of the North Fork of the Vermilion River between the Lake Vermilion Dam and the Interstate Water Company's Pump Station Spillway, Vermilion County Conservation District, Vermilion County

Mill Creek Lake, Clark County Park District, Clark County

Newton Lake, Newton Lake State Fish and Wildlife Area, Jasper County

Pierce Lake, Rock Cut State Park, Winnebago County

Randolph County Lake, Randolph County Conservation Area, Randolph County

Shabbona Lake, Shabbona Lake State Park, DeKalb County

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Wolf Lake, William W. Powers Conservation Area, Cook County

ii) All walleye and sauger taken must be 16 inches in total length or longer in the following waters:

Fox Chain O'Lakes, including the Fox River South of the Illinois Wisconsin line to the McHenry Dam, State of Illinois, Lake and McHenry Counties

iii) All walleye and sauger taken must be 22 inches in total length or longer in the following waters:

Powerton Lake, Tazewell County

iii)iv) Daily catch limit shall not exceed 10 walleye or sauger, either singly or in the aggregate, in the following waters:

That portion of the Mississippi River that lies between the State of Illinois and Iowa (River Miles 361.4 to 580.7).

iii)iv) Daily catch limit shall not exceed 8 walleye or sauger, either singly or in the aggregate, in the following waters:

That portion of the Mississippi River that lies between the States of Illinois and Missouri (River Miles 0.0 to 361.4).

vi) Daily catch limit shall not exceed 1 walleye or sauger, either singly or in the aggregate, in the following waters:

Powerton Lake, Tazewell County

(Source: Amended at 13 Ill. Reg. 8419, effective May 19, 1989)

Section 810.70 Free Fishing Days

During the period of June 10, 11, 12 and 13, 1989, 10, 11 and 12, 1989, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a fishing license or salmon stamp.

(Source: Amended at 13 Ill. Reg. 8419, effective May 19, 1989)

1) The Heading of the Part: Vocational Education

2) Code Citation: 23 Ill. Adm. Code 254

3) Section Number: Adopted Action:

254.310	Amendment
254.340	Amendment
254.370	Amendment
254.390	Amendment
254.610	Amendment
254.620	Repeal
254.2130	Amendment
254.2230	Amendment
254.2235	New Section
254.2245	New Section
254.2255	New Section
254.2310	Amendment
254.2320	Amendment
254.2330	Amendment
254.2340	Amendment
254.2350	Amendment

4) Statutory Authority: The Carl D. Perkins Vocational Education Act (20 U.S.C. 2301 et seq.), "AN ACT in relation to vocational education" (Ill. Rev. Stat. 1987, ch. 122, par. 694 et seq.), and Section 2-3.68 of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 2-3.68).

5) Effective Date of Amendments: May 22, 1989

6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: May 12, 1989

9) Notice of Proposal Published in Illinois Register:

May 27, 1988, 12 Ill. Reg. 8777

10) Has JCER issued a Statement of Objections to this (these) rule(s)? No

11) Difference(s) between proposal and final version: The State Board agreed to make the following changes:

1. To delete the last clause in Section 254.310(c)(3) and state: "and equipment-facility needs. Information in relation to these areas shall be provided as required in Section 254.340."
2. To modify Section 254.340(a)(6)(A) to state: "an organizational chart depicting the structure of the advisory council and any committees established for it."
3. To amend Section 254.340(b)(3) by renumbering (b)(3)(F) to (b)(4) and (b)(4) to (b)(5), and state in (b)(3)(A)-(C):
 - A) Special Needs (Disadvantaged, Handicapped, Limited-English Proficient), including a copy of the eligible recipient's current application for funding through the Vocational Education Support Services Addendum (VESSA) or, if no application has been submitted, an explanation of how such services will be provided,
 - B) Sex Equity, including a copy of the eligible recipient's current application for a Building Fairness Grant or, if no application has been submitted, an explanation as to how sex bias and sex role stereotyping will be overcome,
 - C) Single Parents and Homemakers, including whether the eligible recipient has received a Building Opportunity contract or, if not, what services will be provided,
4. To amend Section 254.340(c)(2) to state: "A copy of the correspondence which transmits the plan for review and reaction to the appropriate administrative entities for JTPA and the area planning council, and copies of any reactions to the plan received from such entities or council or, if no reaction has been received from any of these parties, a statement to this effect, and".
5. To amend Section 254.340(d)(2)(A) to state: "At a minimum, the following information must be submitted as a Stage I application to gain conditional approval for the 1988-89 school year:"
6. To amend Section 254.340(d)(2)(A)(1) to state "program name and Classification of Instructional Program (CIP) Code," which is provided annually by the State Board of Education,".
7. To modify Section 254.340(d)(2)(A)(11) to state its approval

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- iii) separate program approval forms submitted to each member district of the regional system, listing the individual courses related to each program previously approved by the State Board of Education pursuant to the provisions of Section 254.390 and the course credit or contact hours by term, and identifying the regional system and member district by name and identification number, and
8. To delete "based on content analysis" from Section 254.340(d)(2)(A)(iv) and to state in part: "comparing existing program content with certified task lists developed in accordance with the provisions of Section 254.390(a)(4);".
9. To include Stage II in Section 254.340(d)(2)(B) to state in part: "The first and succeeding annual updates to the regional plan must be submitted as a Stage II application for approval by March 31 of each year beginning in 1989."
10. To insert a cross-reference to those Stage I procedures which are applicable information for inclusion in Section 254.340(d)(2)(B) to state in part "...all as for Stage I approval (i.e., as in subsections (d)(2)(A)(i) and (ii), together with the following:"
11. To include information in Section 254.340(d)(2)(B)(i) to state:

narrative course descriptions for each course provided as a part of the program or as an adult vocational education course, including course title, regional course identification code, primary enrollment level, units of credit provided, and descriptions of all cooperative education courses, including the provision and content of the related class associated with each such course."
12. To amend Section 254.340(d)(2)(B)(ii) to state: "a course-by-site matrix listing of all courses, using a code developed by the applicant, shall be included in the plan to indicate the site(s) at which each course is provided."
13. To amend Section 254.340(d)(B)(v) to state:

a regional program approval form which lists programs previously approved by the State Board of Education pursuant to the provisions of Section 254.390, and"

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14. To delete the last sentence in Section 254.340(d)(2)(B)(vi) which begins: "The Stage II program development plan"
15. To delete "preparation-level" from between "vocational instructors" in Section 254.340(e)(1).
16. To amend Section 254.340(e)(2) to state in part: "The names and specific deficiencies of the vocational education staff not meeting minimum qualifications..."
17. To amend Section 254.340(f) to state: "Special funding applications related to the general plan, such as equipment, Adult Training and Retraining, and Quality Assistance Plan applications; and".
18. To amend Section 254.610(b) to read: "The evaluation process is comprised of four phases, a vital signs assessment, an in-depth analysis, a summary report, and a program improvement plan, as follows:"
19. To modify Section 254.610 to include a new Section 254.610(b)(3) and renumber old Section 254.610(b)(3) to (b)(4). This new subsection (b)(3) will state: "Local personnel develop a summary report covering the activities carried out pursuant to subsection (b)(2) and their results."
20. New Section 254.610(b)(4) will be amended to state in part:

The last phase of the evaluation process is the development of a program improvement plan by local personnel, with assistance from State Board of Education personnel, for each continuing program.
21. To amend old Section 254.610(b)(3), the new Section 254.610(b)(4), to include a new next to the last sentence to state:

The purpose of these activities is to verify that solutions proposed are related to problems identified and that the data indicate that such problems exist.
22. To amend Section 254.610(c)(2) to state in part: "The information gathered indicates whether the employers have employed or supervised students who have participated in this program and the employers' judgment (which may include "no opinion"), on a five-point scale on which "1" means poor and "5" equals excellent, as to--"

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23. To amend Section 254.610(c)(3) to state in part: "The information gathered indicates the students' judgment, on a five-point scale on which "1" means not satisfied and "5" means very satisfied, as to--"
24. To amend Section 254.610(c)(4) to state in part: "Student Performance: an assessment of students' skills on state-developed employability skills tests. The information gathered identifies the mean student score by program and encompasses the following areas--"
25. To amend Section 254.610(c)(7) to state:
Labor Market Justification: Regional, state, and national labor market data will be provided by the State Board of Education in conjunction with the evaluation. This information, together with such additional information as the applicant may consider necessary, shall be reviewed by the applicant as a basis for determining needs relating to its program.
26. To state in Section 254.2130(c): "Each such application shall include the project title and the following:"
27. To state "activities" rather than "strategies" in Section 254.2130(c)(3).
28. To modify Section 254.2130(c)(4) to include a new subsection (c)(4)(A) and reletter the following subsections through (c)(4)(I) and state in new Section 254.2130(c)(4)(A):
(A) Allowable costs are:
(i) salaries (stipends only),
(ii) employee benefits,
(iii) purchased services,
(iv) staff travel, and
(v) supplies and materials."
29. To amend Section 254.2130(c)(4)(D), relettered to (c)(4)(E), to state:
"Consultant fees must be stated, and evidence must be presented that they are in accordance with written policy for consultant reimbursement adopted by the applicant."

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30. To amend Section 254.2130(c)(4)(F), relettered to (c)(4)(G), to state:
"Travel costs to be paid must be stated, and evidence must be presented that they are in accordance with written travel policy adopted by the applicant."
31. To amend Section 254.2245(c) to state in part: "They may be eligible to receive consulting fees plus travel, lodging, and per diem at rates in accordance with the applicant's locally adopted policy."
32. To amend Section 254.2245(d) to state in part: "Travel shall be computed according to rates set forth in the applicant's locally adopted policy and include travel, per diem, lodging, and other expenses such as tolls and parking."
33. To delete the 30% project budget cap on staff travel from its Request for Program Improvement Applications.
34. To amend Section 254.2130(c)(4)(G), relettered to (c)(4)(H), to state: "Records must be kept to demonstrate that staff travel has been limited to the purposes specified in the approved project application."
35. To amend Section 254.2130(h) to state "instructions" rather than "appropriate guidelines."
36. To amend Section 254.2130(h) to delete "may be" and state "are".
37. To delete the last sentence in Section 254.2230(b)(1).
38. To delete all information after the third time "proposal" appears to state in Section 254.2230(b)(3): "proposal Abstract. The proposal abstract shall summarize the essential elements of the proposal."
39. To amend Section 254.2230(b)(5)(F) to state: "consequences (e.g., increased employment rates for graduates); and"
40. To amend Section 254.2230(b)(7) to state:

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"Other Resources. The proposal shall identify any special facilities or other resources which are needed or which will facilitate completion of the project. When the cooperation of other companies, organizations, schools or agencies is essential to the conduct of the project, the proposal shall indicate the extent and nature of possible cooperative arrangements."

41. To provide a cross-reference to the required project reports and final product requirements in Section 254.2230(b)(8) to state in part: "... Education, as provided in Section 254.2255(a)(4) and (5).

42. To amend Section 254.2235(e) to state:

The applicant will obey all laws prohibiting discrimination on the basis of race, color, national origin, sex, age or handicap, and all other laws applicable to its program, including but not limited to, the Carl D. Perkins Vocational Education Act (20 U.S.C. 2301 et seq.), "An Act in relation to vocational education," (Ill. Rev. Stat. 1987, ch. 122, par. 694 et seq.), The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 1-1 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Illinois Human Rights Act (Ill. Rev. Stat. 1987, ch. 68, par. 1-101 et seq.), the Education of the Handicapped Act (20 U.S.C. 1401 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), and Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.).

43. To remove the assurance which states "all data collection activities to be carried out within the contract will have prior approval by the State Board of Education" as a generalized requirement from its requests for proposals, reserving such assurance for those requests for proposals in which prior approval for data collection activities is necessary.

44. To amend Section 254.2235(h)(3) to state:

The State Board of Education reserves the right to approve all program, budget and staff changes. Changes will be approved if the proposed distribution of resources or activities would have been approvable within the original application.

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45. To modify Section 254.2235(h)(4) to include: "(e.g., information from program reports, site visits, or audit reports indicates failure to perform the work as agreed and failure to take timely remedial action as called for in writing by the State Board of Education)."

46. To amend Section 254.2245 to state:

Local contributions are not required, except as specified by federal regulations, the authority for which will be identified on the application form for the affected program. Where none are provided, a zero must be entered in the budget line. The presence or absence of in-kind contributions where they are not required will in no way affect the rating of an applicant's proposal.

47. To amend Section 254.2245(d) to delete the sentence concerning two separate approvals and clarify when staff travel must be approved: "For any such trip not included and approved in the original project budget, specific written request must be made and approved prior to the trip occurring."

48. To amend Section 254.2245(e) to state: "Unless otherwise approved by the State Board of Education, nonconsumable materials such as resource materials, reference books, or reports remain the property of, and must be delivered to, the State Board of Education at the end of the project's funding."

49. To amend Section 254.2255(a)(1) to state: "The State Board of Education reserves the right to reject any proposal received if it is determined that the proposal does not conform to the requirements of Section 254.2230 or if funds should be limited for any reason."

50. To include as a last sentence in Section 254.2255(a)(4) the first sentence of Section 254.2255(a)(5) concerning the negotiation of number of final product copies, to delete the last sentence in Section 254.2255(a)(5) concerning the outline and federal and state requirements, and to renumber the Sections to state Sections 254.2255(a)(6) is now (a)(5) and 254.2255(a)(6).

51. To include a new last sentence in Section 254.2255(a)(6), now (a)(5), to state its policy as: "Their content and standards will be negotiated with the applicant prior to signing the contract."

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52. To amend Section 254.2255(a)(7), renumbered to (a)(6), to state:
"The State Board of Education reserves the right to copyright any materials developed under funding agreements resulting from a Request for Proposals."
53. To amend Section 254.2255(b) to state:

The funded agency may enter into agreements for part of the services or facilities to be provided under the project by other persons, public or private agencies, or institutions. Such agreement shall describe the services or facilities of the subcontractor and shall contain the provision that the funded entity retains supervision and administrative control over the performance of the subcontract with respect to the agreements contained therein.
54. To amend Section 254.2255(b)(1) to state in part: "Services or facilities to be provided".
55. To amend Section 254.2255(b) to include a new subsection (5) to state: "Approval of subcontracts will be subject to the same criteria as are applied to the original project application."
56. To amend Section 254.2255(b) to state: "Teachers and administrators applying under this program must spend more than fifty percent of their time in vocational education in order to be eligible."
57. To place a specific cross reference in Section 254.2330(c)(3) to state: "A completed Education Plan in accordance with Section 254.2340(a)(5) and (6)."
58. To amend Section 254.2330(c)(5)(B), renumbered to (c)(4)(B), to state:

where applicable (See Section 254.2350(c)(4) of this Subpart), the amount to be paid by the employer directly to the teacher, counselor, or administrator, or directly to the state, by means of a check payable to the State Board of Education and forwarded to the Board's Springfield office.
59. To capitalize or italicize "ASSESS THE APPLICANT'S POTENTIAL TO ACQUIRE PRACTICAL KNOWLEDGE AND SKILLS" in Section 254.(a)(5)(A)

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60. To capitalize or italicize statutory language and amend Section 254.2340(a)(5)(B) to read: "ASSESS THE APPLICANT'S COMMITMENT BASED ON PRIOR PARTICIPATION IN PROFESSIONAL DEVELOPMENT EXPERIENCES directly related to his or her area(s) of instruction; and".
61. To capitalize or italicize statutory language in Section 254.2340(a)(5)(C) to read: "ASSESS THE RELEVANCE OF THE PRACTICUM EXPERIENCE TO THE APPLICANT'S PROFESSIONAL DEVELOPMENT as a teacher, counselor, or administrator and/or to new and emerging programs in the applicant's local area."
62. To reorder Section 254.2340(a)(5)(C) to split the subsection after the first sentence and create a new Section 254.2340(a)(6) and reletter (i-iv) to state (A-D) and reletter the subsequent subsections 254.2340(a)(6) to (7), (a)(7) to (a)(8), (a)(8) to (a)(9), and (a)(9) to (a)(10). New Section 254.2340(a)(6) will read:

Each applicant shall provide the following descriptions in his or her Education Plan, which will be used by the review panel to rate the application relative to subsections (A), (B), and (C) above pursuant to the scale presented in subsection (7):
63. To state "review panel" in Section 254.2340(a)(6) which was renumbered to (a)(7) and state "subsection (a)(8)" rather than (a)(7).
64. To state "relates to" instead of "correspond" in Section 254.2340(a)(6)(B)(i), renumbered to (a)(7)(B)(i).
65. To delete "including but not limited to" in Section 254.2340(a)(9) renumbered to (a)(10) to state: "Submitting the following required reporting forms:".
66. To delete "listed in the General Plan for education for employment" from Section 254.2350(c)(1).
67. To amend Section 254.2350(c)(2)(A) to state: "at a rate not to exceed \$50 per day up to a total of \$2,000. A practicum day is defined as the standard working day for the business or industry, and it must not be less than five nor more than eight hours of continuing education time; and".

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68. To delete Sections 254.2330(c)(5) and 254.2350(c)(3).
69. To capitalize "the" in Sections 254.340(a)(1) and 254.340(a)(2).
70. To change "wlhch" to "which" in Section 254.340(a)(5)(A).
71. To place the introductory "A," in Section 254.340(a)(6)(B) in a lower case letter and the "l" and "p" in "if provided, in Section 254.340(b)(3)(E)" but not the introductory letters in Section 254.340(b)(3).
72. To renumber Section 254.340(b)(3)(F) to (b)(4) and Section 254.340(b)(4) to (b)(5).
73. To state "list of occupations" in Section 254.340(d)(2)(A)(ii).
74. To remove the comma after "organizations" and to include a comma after "taught" in Section 254.340(d)(2)(B)(ii).
75. To delete the semicolon after "equipment" and replace it with a comma in Section 254.610(c)(2)(A).
76. To delete the semicolons after Sections 254.610(c)(1)(E) and 254.610(c)(6)(B), and replace them with periods and to delete the "and" after Section 254.610(c)(6)(B).
77. To state SUBPART V: GUIDELINES AND SPECIFICATIONS FOR PREPARATION OF PROPOSALS," above Section 254.2230 in the Illinois Register copy of these amendments.
78. To change "governong" to "governing" in Section 254.2235(f).
79. To remove the comma after available in Section 254.2235(h)(4).
80. To capitalize the "E" and "p" in education plan in Section 254.2340(a)(6)(A), which was renumbered to Section 254.2340(a)(7)(A).

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect?
NO

14) Are there any amendments pending on this Part? No

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15) Summary and Purpose of Amendments:Regional Education for Employment Plan

In August of 1987, the Joint Committee on Administrative Rules recommended to the Board that, prior to the adoption of amendments to its rules on vocational education, it provide a copy of its revised Local Plan for Vocational Education, when completed, for Joint Committee review. The Joint Committee's objective was to review the document for the existence of policy not contained in the Board's rules. In October of 1987, State Board staff provided the Joint Committee staff with the newly revised local plan guidelines (now titled Regional Education for Employment Plan). Following a review of the revised guidelines by its staff, the Joint Committee, at its meeting of December 17, 1987, voted to recommend that the Board promulgate a rulemaking to amend its vocational education rules to include the policies in the Regional Education for Employment Plan not currently set forth in its rules.

Accordingly, Section 254.340 of the rules has been revised to set out in considerable detail requirements for the content of the General Plan for Education for Employment. In addition, Section 254.370 has been revised to add specificity to the timeline for submission of annual applications and the general plan. Sections 254.310 and 254.390 have been revised to correct minor errors in the rules.

Requests for Applications/Proposals

Also in August of 1987, the Joint Committee on Administrative Rules objected to the Board's amendments to its rules on vocational education because the Board's Request for Applications and Request for Proposals related to vocational education contain policy not expressed in the Board's amended rules. In addition, the Joint Committee requested that the Board refrain from modifying those amendments in response to the Committee's objection, but that it promulgate a new rulemaking to include such policies in its vocational education rules.

Accordingly, Section 254.2130 has been revised to set out detailed requirements for the content of applications for the approval and funding of local program improvement activities, as well as Board policies relative to the review and approval of such applications, including changes in the application, and reporting requirements. Sections 254.2230-2255 have been revised to set out detailed requirements relative to the content of proposals: Section 254.2230 specifies the required content; Section 254.2235 requires specific assurances; Section 254.2245 sets out budgetary requirements; and Section 254.2255 sets out terms and conditions applicable to funding agreements resulting from proposals.

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Evaluation

The Joint Committee on Administrative Rules further objected to the Board's vocational education rules because of its belief that the Board had failed to develop adequate measures for evaluating the effectiveness of vocational education programs in meeting the needs identified in the State Plan for Vocational Education in accordance with the Carl D. Perkins Vocational Education Act, and to include such measures in its rules.

Accordingly, Section 254.610 now sets out a detailed description of the system utilized by the Board in evaluating vocational education programs, including the measures of effectiveness to be utilized and the procedures involved. Section 254.620 has been repealed as redundant.

Legislative Changes

P.A. 85-416, which took effect on September 15, 1987, requires the Board to provide standards with its rules for assessing vocational instructor practicum candidates. P.A. 85-693, effective September 22, 1987, provides that employment under the vocational instructor practicum program may be in public health and public law enforcement jobs in addition to private-sector jobs. P.A. 85-618, of September 20, 1987, provides that employment under the program may be in any public-sector job as well as in a private-sector job; provides for teachers in the field of corrections to be placed in jobs during the school year and to use their continuing education grants to hire substitute teachers; and provides that private-sector employers who receive benefit from a teacher's employment may reimburse the state in the amount of at least 30% of the grant award rather than pay such amount to the teacher.

In response to the legislation, Section 254.2340 has been revised to reflect the rating process and the standards and data utilized in evaluating practicum candidates. Section 254.2330, related to the submission of applications, has been revised to conform. Section 254.2310 has been amended to provide for employment experiences in the public sector (other sections have been revised to eliminate conflicting language) and to incorporate provisions relative to the participation of vocational teachers in the field of corrections. Sections 254.2330 and 254.2350 have been revised to reflect legislative provisions for private-sector employers who benefit from a teacher's employment to reimburse the state for a portion of the grant award. Other changes have been made in affected sections for clarification.

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- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Terry Nunn
Address: Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
Telephone: (217) 782-4873

The full text of the Adopted Amendments begins on the next page:

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER g: SPECIAL COURSES OF STUDY

PART 254
VOCATIONAL EDUCATION

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254.120	Purpose
254.130	Scope
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254.380	Amendments and Addenda to Applications
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254.410	Applications for Reimbursement of Vocational Education Programs, Services, and Activities

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254.420	Payment of Reimbursement to Eligible Recipients
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254.450	Limitation on Federal Share of Program Costs
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SUBPART E: FISCAL AND STATISTICAL REPORTING

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SUBPART F: EVALUATION

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254.610	Statewide Evaluation of Vocational Education Programs
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254.710	Approval of Cooperative Agreements
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254.740	Cooperative Agreement Resolution and Certification
254.750	Amendments to Cooperative Agreements
254.760	Maintenance of Records of Joint Agreements (Repealed)

SUBPART H: PERSONNEL QUALIFICATION REQUIREMENTS

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254.810	Minimum Qualifications of Public School Personnel
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254.830	Minimum Qualifications Regulated by Law or Licensure

SUBPART I: VOCATIONAL EDUCATION PROGRAMS

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254.940 Equal Access to Vocational Education Programs
254.950 Vocational Education Programs for Handicapped Children (Repealed)
254.960 Program Eligibility (Repealed)
254.970 Program Coordination (Repealed)
254.980 Program Direction and Supervision
254.985 Facilities, Equipment, and Materials (Repealed)
254.988 Program of Instruction
254.990 Apprenticeship Programs
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254.1235 Participation of Students Enrolled in Private Elementary and Secondary Schools
254.1240 Eligibility of Students (Repealed)
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SUBPART M: HIGH IMPACT TRAINING SERVICES PROGRAMS

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Section
254.1010 Allocation of Funds
254.1020 Administration of Program
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254.1430 Industry-Education Partnership Programs for Training in High-Technology Occupations

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SUBPART O: ELEMENTARY OCCUPATIONAL INFORMATION PROGRAMS

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SUBPART L: PROGRAMS FOR HANDICAPPED AND DISADVANTAGED PERSONS

Section
254.1210 Allocation of Funds (Repealed)
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254.1688 Work Permits and Proof of Age
 254.1690 Hours of Work
 254.1692 Compensation for Hours Worked
 254.1694 Use of Funds
 254.1695 Maintenance of Effort (Repealed)
 254.1696 Maintenance of Records

SUBPART Q: ACTIVITIES OF VOCATIONAL STUDENT ORGANIZATIONS

Section
 254.1710 Allocation of Funds
 254.1720 Applications for Approval and Funding
 254.1730 Administration
 254.1740 Supervision
 254.1750 Nondiscrimination in Student Organization Membership
 254.1760 Availability of Vocational Student Organization Activities
 254.1770 Formal Action
 254.1780 Maintenance of Records

SUBPART R: INSTRUCTIONAL EQUIPMENT

Section
 254.1810 Allocation of Funds
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SUBPART S: AREA VOCATIONAL EDUCATION PLANNING (REPEALED)

Section
 254.1910 Allocation of Funds (Repealed)
 254.1920 Applications for Funding (Repealed)

SUBPART T: DEVELOPMENT OF AREA SECONDARY VOCATIONAL CENTERS

Section
 254.2010 Applicability
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SUBPART U: PROGRAM IMPROVEMENT AND SUPPORTIVE SERVICES

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 254.2110 General
 254.2120 Allocation of Funds for Program Improvement Activities
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 254.2150 Allocation of Funds for Vocational Guidance and Counseling (Repealed)
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 254.2170 Allocation of Funds for Activities to Assist in Overcoming Sex Bias (Repealed)
 254.2180 Applications for Approval and Funding of Proposals (Repealed)
 254.2190 Applications for Approval and Funding of University-Based Vocational Education Personnel Delivery System Activities (Repealed)
 254.2195 Applications for Approval and Funding of Locally-Based Inservice Staff Development Activities (Repealed)

SUBPART V: GUIDELINES AND SPECIFICATIONS FOR PREPARATION OF PROPOSALS

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 254.2210 Applicability
 254.2220 Submission of Proposals
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 254.2280 Narrative Description of Project (Repealed)
 254.2290 Qualifications of Project Staff, Consultants, and Subcontractors (Repealed)
 254.2292 Deliverables (Repealed)
 254.2296 Facilities (Repealed)
 254.2298 Appendix (Repealed)

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SUBPART W: VOCATIONAL PERSONNEL INSTRUCTION PRACTICUM

- Section 254.2310 Applicability
- 254.2320 Allocation of Funds
- 254.2330 Submission of Applications
- 254.2340 Administration
- 254.2350 Payment of Grant Funds

AUTHORITY: Implementing the Carl D. Perkins Vocational Education Act (20 U.S.C. 2301 et seq.), "AN ACT in relation to vocational education" (Ill. Rev. Stat. 1987, ch. 122, par. 694 et seq.), and Sections 2-3.48, 2-3.50, 10-22.20a, 10-22.31a, and 10-22.31b of The School Code (Ill. Rev. Stat. 1987, ch. 122, pars. 2-3.48, 2-3.50, 10-22.20a and 10-22.31a and 10-22.31b), and authorized by Section 2 of "AN ACT in relation to vocational education" (Ill. Rev. Stat. 1987, ch. 122, par. 697).

SOURCE: Adopted at 4 Ill. Reg. 32, p. 22, effective July 30, 1980; amended at 7 Ill. Reg. 13503, effective September 28, 1983; codified at 8 Ill. Reg. 5178, amended at 10 Ill. Reg. 18760, effective October 16, 1986; amended at 12 Ill. Reg. 2282, effective January 15, 1988; amended at 13 Ill. Reg. 8459, effective May 22, 1989

NOTE: Capitalization denotes statutory language.

SUBPART C: APPLICATIONS FOR FUNDING

Section 254.310 General Application

- a) Each eligible recipient, as a prerequisite to obtaining vocational education funds allocated by the State Board of Education for the support of programs of instruction in vocational education, shall submit a general application to the State Board of Education in the form and manner prescribed in this Subpart.
- b) The State Board of Education's policy on education for employment is intended to ensure that vocational education and other education for employment programs will be provided to youth and adults through a regionally organized delivery system that makes effective and efficient use of public schools, area vocational centers, postsecondary institutions, and the employment sector.
- c) There will be a three-year implementation phase for identifying regions, developing formal agreements, and submitting regional plans.

- 1) By July 1, 1986, public school districts receiving federal and state assistance shall become participants in a regional system organized through a cooperative agreement. In most instances, regional systems will coincide with educational

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service regions. Public schools in Cook County will form regional systems within the context of the community college district(s). Public schools throughout Illinois, including Cook County, may elect to join together in consortia outside of these educational structures (e.g., combination of educational service regions or community colleges and a group of districts who have a history of cooperative vocational education programs) if they are demographically aligned into units that can best support a regional program.

- 2) By July 1, 1987, regional secondary systems and the community college(s) must define articulation agreements and/or cooperative arrangements to be addressed in the local plan for education for employment as a condition for state approval of plans and programs pursuant to Section 254.390. Agreements will provide for: program alignment and continuity in a given occupational area between secondary and postsecondary institutions; transition of the student without unnecessary delay or duplication of effort from one institution to another in those occupational areas provided by both secondary and postsecondary institutions; consideration of joint use of facilities, equipment, and staff; and cooperative efforts in continuous planning, evaluation, and improvement of programs to serve both youth and adults as well as the area's economic needs.

- 3) By April 30, 1988, each regional system and each community college will submit a Plan for Education for Employment that includes: descriptions of the characteristics which form the basis for high-quality programs; identified program outcomes; staff development needs; related student services; business, industry, and labor involvement in the regional system; program improvement efforts; valid cooperative agreements and articulation agreements; administrative and program staffing; provision for vocational student organizations; and equipment-facility needs; and other provisions as may be required by federal and/or state statute as specified in Section 254-340. Information in relation to these areas shall be provided as required in Section 254.340. Community colleges' participation in programs and services may be included, at their election, through the college's existing system or, where community colleges have entered into cooperative agreements as equal partners in an education for employment system, the college may be included in the local system plan.

(Source: Amended at 13 Ill. Reg. 8459, effective May 22, 1989)

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Section 254.340 Content of the General Plan

The general plan for education for employment shall be prepared and submitted on forms provided by the State Board of Education and shall be made available for review and comment by interested parties, including the designated administrative entity under the Job Training Partnership Act (29 U.S.C. 1501). The general plan shall cover a two-year period which coincides with the two-year period of the State Plan for fiscal years 1989-1990 and each two-year period thereafter, and shall be updated annually. The plan shall describe the vocational education programs, services, and activities proposed to be funded and how the proposed programs, services, and activities will be coordinated with relevant programs under the Job Training Partnership Act and the Adult Education Act (20 U.S.C. 1201 et seq.) in order to avoid duplication and shall include the following:

- a) descriptions of the vocational program, such as course content, instructional equipment, and program staffing;
- b) a rationale supporting the total vocational education program set forth in the general plan and justifying each instructional program offered;
- c) identified program outcomes as evidenced by occupational task lists;
- d) staff development needs;
- e) related student services;
- f) business, industry, and labor involvement in the regional system;
- g) program improvement efforts;
- h) valid cooperative agreements and articulation agreements;
- i) administrative and program staffing;
- j) provision for vocational student organizations;
- k) equipment facility needs;
- l) vocational education staff qualifications;
- m) listing of staff assigned to the Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973 functions; and

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a) a description of the notification to private elementary and secondary schools regarding handicapped and disadvantaged student eligibility to participate in the vocational education program assisted under Title IIA of the Act.

a) General information, including --

- 1) The name and address of the eligible recipient together with the names of administrative, professional, and advisory staff having designated responsibilities.
- 2) The names and addresses of member districts of the regional system, if applicable, together with a current copy of the system's cooperative agreement.
- 3) A current copy of all applicable articulation agreements.
- 4) If the eligible recipient or any member district contracts with a private institution to provide vocational education for students of the recipient, a signed current copy of the contract with the institution.
- 5) The administrative structure of the regional system, if applicable, in the form of --
 - A) an organizational chart which shows relationships between and among the board of control, board committees, community colleges, system director, other system personnel, and vocational instructional staff, and
 - B) job descriptions listing the duties and responsibilities of the system director and other professional personnel directly employed by the system such as special needs coordinator, guidance coordinator, etc..
- 6) The advisory council structure, in the form of --
 - A) an organizational chart depicting the structure of the advisory council and any committees established for it.
 - B) a description of the roles and responsibilities of the advisory council, and
 - C) a description of the process for determining membership on the advisory council and committees, and

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- 7) The public information strategies of the regional system, if applicable, in the form of an action plan to inform the public of the education for employment programs in the communities served by the system;

b) Student services information, including--

- 1) Organization of the student services committee of the regional system, if applicable, in the form of--

A) a description of the membership and organization chart, and

B) a description of the roles and responsibilities of the committee.

- 2) Coordination and articulation of student services, in the form of--

A) a description of the process used to assure coordination of student services.

B) a description of the process used to articulate student services between the secondary regional delivery system and community colleges, and

C) a description of the process used to transfer/share student records, transcripts, and other relevant information within the regional delivery system and between the system and other agencies, if applicable.

- 3) A description of the student services to be provided in each of the following categories--

A) Special Needs (Disadvantaged, Handicapped, Limited-English Proficient). Including a copy of the eligible recipient's current application for funding through the Vocational Education Support Services Addendum (VESSA) or, if no application has been submitted, an explanation of how such services will be provided.

B) Sex Equity, including a copy of the eligible recipient's current application for a Building Fairness Grant or, if no application has been submitted, an explanation as to how sex bias and sex role stereotyping will be overcome.

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C) Single Parents and Homemakers, including whether the eligible recipient has received a Building Opportunity contract or, if not, what services will be provided.

D) Counseling and Guidance (Key Components).

E) Other Student Services (if provided).

- 4) Identification of the degree to which the guidance and counseling key components of general counseling, assessment and evaluation, career information, educational/career planning, placement, special population services, sex equity, and student follow-up are available to students, indicating if the component requires improvement, and

- 5) A counseling and guidance improvement plan addressing the key components identified as needing improvement and including improvement objectives, activities, persons responsible, anticipated completion date, and accomplishments.

c) Information relative to coordination with other federally funded programs, including--

1) A description of how the programs, services and activities in the plan will be coordinated with relevant programs under the Job Training Partnership Act and the area planning council for adult education, including the process which will be utilized and the topics which will be discussed.

2) A copy of the correspondence which transmits the plan for review and reaction to the appropriate administrative entities for JTPA and the area planning council, and copies of any reactions to the plan received from such entities or council or, if no reaction has been received from any of these parties, a statement to this effect, and

3) A response to any concerns or reactions to the plan received from the administrative entities for JTPA and the area planning council, indicating the action to be taken to address the response or concern;

d) A vocational education program description and program improvement plan--

1) For community colleges, this section of the general plan can be completed by addressing the following statements:

A) Submit a current copy of the college's catalogue that describes the offerings available within the institution.

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- B) Describe the process utilized by the college to develop new units of instruction (programs) and courses, including the involvement of advisory committees in the process. Include an outline of the steps followed within the college to review and approve the new program and/or courses.
- C) Identify existing programs which require, or for which the college has sought optional external accreditation and/or approval and by what entity. Include those programs which require an individual to become licensed, certified, or registered upon completion of the program and by what entity. If this information is included in the college catalogue, please note this in response to this item.
- D) Provide the most recent copy of the planned curriculum additions and withdrawals submitted to the Illinois Community College Board. Of specific interest are the occupational curricula that the college plans to add or withdraw.
- E) Complete the program articulation form listing the name of each occupational program that has an established or planned articulation component with a secondary regional delivery system. For each program, describe the nature of the established or planned articulation activities.
- 2) For secondary regional systems, this section of the general plan may be prepared in two stages, with specific requirements associated with each stage by individual program. It is not necessary for a regional system to complete Stage I for an individual program if the system can complete Stage II and implement programs in the 1988-89 school year. If existing course offerings will not be changed by the 1988-89 school year, Stage I must be completed to obtain conditional approval for continued reimbursement.
- A) At a minimum, the following information must be submitted as a Stage I application to gain conditional approval for the 1988-89 school year:
- 1) program name and Classification of Instructional Program (CIP) Code, which is provided annually by the State Board of Education.

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- ii) list of occupations included in the program together with documentation of task list verification submitted for each occupation on prescribed forms indicating by name, position, and representation the individual instructors and members of business/industry involved and for instructors, the manner of involvement in the verification process.
- iii) separate program approval forms submitted for each member district of the regional system, listing the individual courses related to each program previously approved by the State Board of Education pursuant to the provisions of Section 254.390 and the course credit or contact hours by term, and identifying the regional system and member district by name and identification number, and
- iv) A Stage I program development plan submitted on the form provided by the State Board and listing planned developmental activities together with the persons responsible for the activity and anticipated completion date for each of four major steps in program development: comparing existing program content with verified task lists developed in accordance with the provisions of Section 254.390(a)(4); assessing equipment needs for program implementation; assessing curriculum material needed to implement the program, and assessing staff development activities needed to implement the program (activities, persons responsible and anticipated completion dates need only be identified for those steps not yet accomplished).
- 8) The first and succeeding annual updates to the regional plan must be submitted as a Stage II application for approval by March 31 of each year beginning in 1989, and shall contain individual program names and CIP codes and a listing of occupations included in each program together with documentation of task list verification, all as for Stage I approval (i.e., as in subsections (d)(2)(A)(i) and (ii)), together with the following:
- 1) narrative course descriptions for each course provided as a part of the program or as an adult vocational education course, including course title, regional course identification code, primary enrollment level, units of credit provided, and descriptions of all cooperative education courses, including the provision and content of the related class associated with each such course.

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- ii) for each course included in the plan, a listing of tasks to be taught, indicating whether as a part of the secondary curricula or through vocational student organizations or whether to be articulated with the postsecondary delivery system,
- iii) a course-by-site matrix listing of all courses, using a code developed by the applicant, shall be included in the plan to indicate the site(s) at which each course is provided,
- iv) a listing of the vocational student organizations which are available to students enrolled in each program,
- v) a regional program approval form which lists programs previously approved by the State Board of Education pursuant to the provisions of Section 254.390, and
- vi) a Stage II program development plan listing planned developmental activities together with the persons responsible for the activity, the anticipated completion date, and accomplishments addressing identified needs in each of three areas: equipment, curriculum materials, and staff development,
- e) Vocational education program personnel information, including --
- 1) The names of all full-time and part-time vocational administrators, instructors, guidance personnel, special needs coordinators, and Title IX and Section 504 designees with vocational education responsibilities under the general plan, listed by participating district for regional systems, indicating the occupational assignment of each and the CIP program code corresponding to the primary teaching area of all vocational instructors,
 - 2) The names and specific deficiencies of vocational education staff not meeting minimum qualifications of the State Board of Education set forth for professional personnel in the public schools in 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) and for professional vocational education personnel in other institutions in Section 254.820 of this Part, and

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- 3) A description of the professional development experiences identified to help each staff member who does not meet minimum requirements to overcome vocational instructional deficiencies;
- f) Special funding applications related to the general plan, such as equipment, Adult Training and Retraining, and Quality Assistance Plan applications; and
- g) The annual application assurances required by Section 254.360 of this Part.
- (Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)
- Section 254.370 Submission of Annual Applications and General Plan
- a) The annual application shall be submitted so as to reach the State Board of Education prior to the start of by March 31 preceding the school year for which the application is made. Applications received after the expiration of the submittal period will be accepted upon written request for consideration except that in no case will applications be accepted if received after the commencement of the first full term of school included in the application. Applications which are accepted after the expiration of the submittal period will not qualify for forward funding payments.
- b) The general plan shall be submitted together with the annual application for the 1989 fiscal year and, for subsequent years, shall be updated to accurately reflect current practice and submitted with the annual application for the initial year of each two-year period thereafter.
- (Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)
- Section 254.390 Approval of Applications
- a) Only those applications which are submitted in accordance with the provisions set forth in this Subpart will be considered for funding by the State Board of Education. Consideration of ~~eligible~~ eligible recipients' plans for funding purposes will result in the assignment of an approval status for each such plan. Approval of the general plan does not constitute approval for funding purposes of all or particular segments of the plan or of programs and courses detailed in the plan. Individual programs set forth in the application will be considered for approval on the basis of the following:

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- 1) program responsiveness to the changing nature of the labor market, to technological advances, to the changing characteristics of the work force, and to the academic, technical, and attitudinal development of their students;
- 2) demonstrated need for the program documented by local employment needs and/or by state or regional labor market information;
- 3) ~~evidence-of-cooperative-efforts-to-develop-business-and-industry-training-sites;~~
- 4) student interest in the program documented by student interest surveys or by actual student enrollments;
- 5) program content based upon occupational task lists disseminated by the State Board of Education and verified or modified locally to meet specific regional needs;
- 5) available instructional resources, i.e. qualified personnel, facilities, equipment, instructional materials, and other resources necessary for instruction based upon the program content;
- 6) program length which provides the necessary hours of instruction based upon the program content; and for continued approval,
- 7) program administration and operation in accordance with state and federal laws and regulations, including this Part.
- b) Assignment of an approved status to a general plan for vocational education is contingent upon each and all of the following:
 - 1) submission of a complete plan which meets the requirements set forth in this Subpart;
 - 2) evidence of the existence of a technical advisory committee which has provided input into the development of such plan; and
 - 3) inclusion in such plan of written reactions to each recommendation resulting from any on-site visitation conducted by the State Board of Education during the school year immediately preceding the school year for which the plan is submitted.
- c) Plans which meet all of the conditions prescribed in subsection (b) will be assigned an approved status.

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- d) Plans which do not meet each of the conditions prescribed for the assignment of an approved status set forth in subsection (b) will be assigned a not approved status.
- e) Each applicant agency which submits a plan for vocational education in accordance with requirements set forth in this Subpart will receive a Status of Plan Report.
- f) A copy of the Status of Plan Report will be mailed to the designated transmittal officer by the State Board of Education.
- g) Additional information requested of the applicant agency on the Status of Plan Report shall be forwarded directly to the State Board of Education, within 30 days of receipt of the Status Report.

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89.)

SUBPART F: EVALUATION

Section 254.610 Statewide Evaluation of Vocational Education Programs

- a) The State Board of Education will utilize the evaluation system set forth in this Subpart in evaluating vocational education programs administered by eligible recipients.
 - 1) Each eligible recipient administering a program of vocational education which is supported with vocational education funds will be required to complete a self-assessment of the vocational education programs offered by the recipient. The self-assessment shall be completed for each vocational program offered by the eligible recipient and shall include evaluations in the areas of program placement, employer satisfaction, student satisfaction, student performance, enrollment trends, labor market justification, and program costs.
- 2) The State Board of Education will direct an on-site review and analysis of the eligible recipient's assessment of its program of vocational education. The on-site review will be conducted by a team composed of individuals selected by the State Board of Education from the Board's professional staff and other groups on the basis of their knowledge of and experience in vocational education and employment training, student needs and services, and employment needs in the community and state.
- b) 3) The self-assessment of an eligible recipient and the associated on-site review shall be conducted in accordance with a schedule of evaluations developed annually by the State

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Board of Education. The evaluation schedule will be developed such that each eligible recipient will be evaluated only once during a four-year period.

- b) The evaluation process is comprised of four phases, a vital signs assessment, an in-depth analysis, a summary report, and a program improvement plan, as follows:

1) The initial review of a vocational program focuses on the vital signs of that program. Seven vital signs which address the viability of a program have been identified: placement, employer satisfaction, student satisfaction, student performance, enrollment, cost containment, and labor market justification. The collection of information for each vital sign is done through the examination of existing information, conducting surveys, and/or student testing. Information for each vital sign is then summarized, resulting in a vital sign rating.

2) Local personnel analyze the graph and determine whether one or more of the vital signs indicates a concern. If all vital sign ratings are judged acceptable, then no further evaluation is necessary and a program improvement plan is developed. If one or more of the vital signs indicates an area of concern, a more thorough in-depth analysis, which focuses only on those vital signs which indicate a concern, is conducted. After the in-depth analysis has been completed, results are summarized and conclusions are drawn. Local personnel then make a determination of program status. In most instances, a decision would be made to continue the program while working toward program improvements. In others, evaluation results may clearly indicate the need to discontinue a program. A plan to phase out the program should then be developed.

3) Local personnel develop a summary report covering the activities carried out pursuant to subsection (b)(2) and their results.

4) The last phase of the evaluation process is the development of a program improvement plan by local personnel with assistance from State Board of Education personnel, for each continuing program. If all vital signs are strong, then the program improvement plan may consist of general recommendations for maintaining and improving the program. If one or more of the vital signs indicates a concern, the program improvement plan is focused on the findings of the in-depth analysis and plans for remediating identified problems. Local personnel then identify ways in which the program could be improved as well

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as the methods for doing so and the necessary resources. This plan is submitted to state personnel for approval and subsequent allocation of resources. To be approved, the program improvement plan shall identify areas of deficiency, specify remediation activities, list resources utilized for remediation, and identify the person responsible for coordinating the remediation activity. A verification process will be utilized by the State Board of Education to assist in the approval of the program improvement plan. This process will include a review of the data and findings from the evaluation process and interviews with selected personnel during an on-site visit. The purpose of these activities is to verify that solutions proposed are related to problems identified and that the data indicate that such problems exist. Technical assistance will be available to local personnel throughout this process.

c) The vital sign assessment phase of the evaluation process consists of collecting data related to the seven vital signs of the program. These data will be utilized by local personnel in determining the status of the program. The seven vital signs and their definitions, the methods by which data are collected, and the types of information to be gathered are the following:

1) Placement: a count of former program participants who are now either employed, unemployed, in continuing education, in the military, or other, obtained through surveying a sample of former students. The information gathered identifies the former students' vocational curriculum and current employment, as --

- A) Employed, (at job title),
- B) Unemployed,
- C) Continuing Education,
- D) Military, or
- E) Other.

2) Employer Satisfaction: an assessment of employer views related to the technical, employability, and basic skills of employees who have participated in the program, as compared to other employees of similar age and education, obtained through surveying a sample of such employers. The information

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SUBPART B: ILLINOIS DESIGNATED ACCOUNT PURCHASE PROGRAM (IDAPP)

Section 1720.120 IDAPP Eligible Loans

- a) ISSC will purchase non-delinquent loans which are guaranteed pursuant to this Part.
- b) ISSC will also purchase ~~IGLP~~ Stafford Loans which are 30-90 days delinquent on installments of principal or interest or loans for which the borrower has failed to meet other contractual obligations. Loans in default are not eligible for purchase and should be submitted for reimbursement in accordance with Section 1720.70.
- c) At the Lender's request, ISSC will purchase ~~IGLP~~ Stafford Loans in deferred status because of the borrower's unemployment or which have been granted a forbearance by the Lender.
- d) The Lender must be in compliance with ISSC Rules up to the date of the sale.
- e) ~~Purchase eligibility with respect to loans guaranteed by ISSC after March 1, 1976, requires the lenders, prior to disbursement, to secure proper identification of the borrower.~~
- ef) In cases where a borrower's loan is held by ISSC and the borrower requests a renewal loan, and where such borrower has established a satisfactory relationship with ISSC, the original Lender must agree to make the renewal loan to the borrower with the understanding that such loan will be immediately purchased by ISSC to consolidate the student's indebtedness. See: Section 1720.40(f)(2).
- fg) Default Prevention Program
 - 1) In cases where a Lender executes a contract authorizing participation in the Default Prevention Program, ISSC will purchase additional types of loans specified in subsection (g)(2). All accounts submitted for purchase must have an annual cumulative average loan size of at least \$3,500.
 - 2) ISSC will purchase the following additional types of loans:
 - A) all deferred loans other than unemployment deferments;
 - B) loans from borrowers who have moved;
 - C) loans from borrowers who have failed to respond to the Lender's written inquiry;
 - D) loans from graduate student borrowers, and
 - E) loans that do not fall under any preceding criteria classification.
- gh) Upon the sale of an account to ISSC, the Lender shall report the transfer of ownership to the credit reporting agency utilized by the Lender. The Lender shall not adverse the borrower's credit rating.

(Source: Amended at 13 Ill. Reg. 8630, effective July 1, 1989)

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NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Paul Douglas Teacher Scholarship Program
- 2) Code citation: 23 Ill. Adm. Code 1762
- 3) Section numbers: 1762.40 Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 551 et seq. of the Higher Education Act of 1955 (20 U.S.C.A. 1111 et seq.), and Sections 30-15.4(b) and (f) of the Higher Education Student Assistant Law (111. Rev. Stat., 1987, ch. 122, pars. 30-15.4(b) and (f)).
- 5) Effective date of Amendments: July 1, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain an incorporation by reference? No
- 8) Date Filed in Agency's Principal Office: April 10, 1989
- 9) Notice of Proposal Published in Illinois Register:
November 14, 1988 12 Ill. Reg. 18134
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences from the proposed version: No changes have been made to the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The amendments revise the application procedures.
- 16) Information and questions regarding these adopted amendments shall be directed to:
Mr. Larry E. Matejka
Executive Director
Illinois State Scholarship Commission
106 Wilmet Road
Deerfield, Illinois 60015
(312) 948-8500

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER IX: STATE SCHOLARSHIP COMMISSION

PART 1762
PAUL DOUGLAS TEACHER SCHOLARSHIP PROGRAM

Section
1762.10 Summary and Purpose
1762.20 Definitions
1762.30 Scholar Eligibility
1762.40 Program Procedures

AUTHORITY: Implementing and authorized by Section 551 et seq. of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1111 et seq.), and Sections 30-15.4(b) and (f) of the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, par. 30-15.4(b) and (f)).

SOURCE: Emergency Rule adopted at 10 Ill. Reg. 12690, effective July 18, 1986, for a maximum of 150 days; adopted at 11 Ill. Reg. 3159, effective January 29, 1987; amended at 12 Ill. Reg. 11559, effective July 1, 1988; amended at 13 Ill. Reg. 8650, effective July 1, 1989.

Section 1762.40 Program Procedures

- a) Applications for the Paul Douglas Teacher Scholarship Program are available from: approved High Schools in Illinois; offices of Congressional Representatives from the State of Illinois; offices of ISSC in Springfield, Chicago, and Deerfield, and; postsecondary Institutions throughout Illinois.
- b) A completed application must be received in ISSC's Deerfield office on or before June 1 preceding the Academic Year for which the scholarship would be available except that Applicants who would be utilizing the scholarship at the freshman Academic level must submit a completed application on or before August 1 preceding the Academic Year for which the scholarship would be available. A complete application includes ~~certifications from the Applicant and postsecondary Institution.~~
 - 1) All Applicants must also apply for a Monetary Award Program (MAP) grant for the purpose of determining CMFC. See 23 Ill. Adm. Code 1735)
 - 2) Applicants must also provide their postsecondary Institution a copy of their high school transcript or any other documentation which verifies rank in class upon high school graduation. The Institution shall certify to ISSC whether the Applicant is a Qualified Applicant as defined at Section 1762.30(b).

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- c) A congratulatory letter shall be sent to each Qualified Applicant who is selected as a Scholar. A listing of Scholars shall be made available to Institutions, members of Congress, and to the media.
- d) Renewal applications are mailed annually to eligible Scholars and must be submitted to ISSC before the deadline stated on the Renewal application.
- e) Prior to receiving scholarship assistance for any Academic Year, the Scholar must sign a Teaching Commitment Agreement/Promissory Note at the financial aid office of the postsecondary Institution the Scholar is attending.

- 1) The Institution shall submit the signed Teaching Commitment Agreement/Promissory Note to ISSC with a Payment Request Form.
- 2) The Teaching Commitment Agreement/Promissory Note shall require the Scholar either to fulfill the teaching requirements or to repay all or part of the scholarship, plus interest, as provided by Federal Regulations.

f) Scholarship Amount

- 1) In accordance with this subsection, the Scholar's postsecondary Institution shall compute the size of the scholarship and shall submit a Payment Request Form. The Scholar must have reviewed and signed the Payment Request Form.
- 2) Except as otherwise provided in this subsection, scholarships shall be in the amount of \$5,000.
- 3) If a Paul Douglas Teacher Scholarship, when added to the amount the Scholar is to receive for the same Academic Year under Title IV of the Higher Education Act of 1965, as amended, (20 U.S.C.A. 1070 et seq.), would exceed the Scholar's cost of attendance, as defined at Section 472 of the Higher Education Act of 1965 (20 U.S.C.A. 108711), as amended, the Institution shall reduce the scholarship by the amount in which the combined awards would exceed the Scholar's cost of attendance.
- 4) In any Academic Year in which the Scholar accepts financial assistance through the Teacher Shortage Scholarship Program, or the Mathematics or Science Teacher Scholarship Program (See: 23 Ill. Adm. Code 54: "Fellowship, Traineeship and Scholarship Programs"), the Scholar shall not be eligible for scholarship assistance under this Part.

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- 5) A Scholar may receive grant assistance under the Monetary Award Program (23 Ill. Adm. Code 1735) only up to the amount by which the Scholar's cost of attendance exceeds the amount of the scholarship.

- 9) Scholarship funds are applicable towards two semesters/three quarters of full-time study within an Academic Year. Upon receipt of scholarship funds, the Institution shall verify that the Scholar continues to be Enrolled. The Institution may then credit scholarship funds to the recipient's account for expenses then due and payable. The balance of the scholarship funds shall be released to the Scholar. If the Scholar has withdrawn from enrollment, the Institution shall return the total amount of the scholarship to ISSC.

(Source: Amended at 13 Ill. Reg. 8650, effective July 1, 1989)

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- 1) The Heading of the Part: State Scholar Program
- 2) Code citation: 23 Ill. Adm. Code 1760
- 3) Section Numbers: 1760.30 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Sections 30-15.5 and 30-15.6 and authorized by Section 30-15.4 of the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, pars. 30-14.5, 30-15.6, and 30-15.4).
- 5) Effective date of Amendments: July 1, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain an incorporation by reference? No
- 8) Date Filed in Agency's Principal Office: April 10, 1989
- 9) Notice of Proposal Published in Illinois Register:
November 14, 1988 12 Ill. Reg. 18138
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences from the proposed version: No substantive changes have been made to the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The amendments to Part 1760 clarify existing program requirements.
- 16) Information and questions regarding these adopted amendments shall be directed to:
Mr. Larry E. Matejka
Executive Director
Illinois State Scholarship Commission
106 Wilmet Road
Deerfield, Illinois 60015
(312) 948-8500

The full text of the Adopted Amendments begins on the next page:

STATE SCHOLARSHIP COMMISSION
NOTICE OF ADOPTED AMENDMENTS

e) Test scores submitted in accordance with ~~these rules~~ this Part shall be converted to an Illinois Standard Test Score as follows:

- 1) The ACT Assessment Composite Score shall be the Illinois Standard Test Score.
- 2) The Scholastic Aptitude Test Scores shall become the Illinois Standard Test Score after first multiplying the SAT verbal score by 2, adding that result to the SAT math score, then using the table below for SAT 2V + M.

Illinois Standard Test Score Table

Illinois Standard Score	SAT 2V+ M	ACT Composite
35	2280 to 2400	35
34	2200 to 2270	34
33	2090 to 2190	33
32	2000 to 2080	32
31	1920 to 1990	31
30	1830 to 1910	30
29	1750 to 1820	29
28	1680 to 1740	28
27	1610 to 1670	27
26	1550 to 1600	26
25	1480 to 1540	25
24	1430 to 1470	24
23	1380 to 1420	23
22	1340 to 1370	22
21	1300 to 1330	21
20	1250 to 1290	20
19	1210 to 1240	19
18	1170 to 1200	18
17	1140 to 1160	17
16	1100 to 1130	16
15	1060 to 1090	15
14	1010 to 1050	14
13	960 to 1000	13
12	910 to 950	12
11	870 to 900	11
10	820 to 860	10
9	810 and below	9

f) High School class ranks submitted in accordance with ~~these rules~~ this Part shall be converted to an Illinois Standard Rank Score as follows:

- 1) First, determine the percentile of the class rank for each student in accordance with the following formula:
Percentile = Size of Class MINUS (Rank in Class minus .5)
+ Size of Class

STATE SCHOLARSHIP COMMISSION
NOTICE OF ADOPTED AMENDMENTS

2) Then, use the table below to convert a percentile class rank to the Illinois Standard Rank Score.

Percentile	Illinois Standard Rank Score
99.75 - 99.99	30
99.53 - 99.74	29
99.19 - 99.52	28
98.62 - 99.18	27
97.79 - 98.61	26
96.41 - 97.78	25
94.53 - 96.40	24
91.93 - 94.52	23
85.50 - 91.92	22
84.14 - 85.49	21
78.82 - 84.13	20
72.58 - 78.81	19
65.56 - 72.57	18
57.93 - 65.55	17
50.00 - 57.92	16

g) An Illinois Weighted Selection Score for each student shall be computed by multiplying the Illinois Standard Test Score by two, and adding that result to the Illinois Standard Rank Score.

h) In any Academic Year, the number of State Scholars is approximately equal to ten percent of the estimated total number of Illinois high school graduates. ISSC annually establishes a minimum Weighted Selection Score to yield this result.

(Source: Amended at 13 Ill. Reg. 8654, effective July 1, 1989)

NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Cancellation, Revocation or Suspension of Licenses or Permits

2) Code Citation: 92 Ill. Adm. Code 1040

3) <u>Section Numbers</u>	<u>Adopted Section</u>	
	New Section	
1040.41		
1040.100	New Section	
1040.101	New Section	

4) Statutory Authority: Sections 2-104(b) and 2-118 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 2-104(b) and 2-118) and Sections 6-201, 6-108, 6-110, 6-118, 6-206 and 6-306.3 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-201, 6-108, 6-110, 6-118, 6-206, and 6-306.3).

5) Effective Date of Amendments: June 1, 1989

6) Does this rulemaking contain an automatic repeal date? Yes ☒ No.

7) Does this amendment contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: May 22, 1989

9) Notice of Proposal Published in Illinois Register: 12 Ill. Reg. 20760 (December 16, 1988)

10) Has JCAR Issued a Statement of Objections to this Rule? No.

11) Differences between proposal and final version.

Pursuant to suggestions from the Administrative Code Unit of the Office of the Secretary of State, the following changes were made:

In Section 1040.41(a), in the definition of "Curf ", "Section 2371" in line 3 was changed to "Section 1", "AN ACT" in li. 4, was placed in all capital letters and the comma was deleted following the title of the ACT.

In Section 1040.100, the heading was changed from "Rescinds" to "Rescissions".

In Section 1040.100(a), in the definition of "Supervision", "Section 1005-1-21" in line 5 was changed to "Section 5-1-21". The quotation marks were also deleted from the title of the Act and in the statutory citation, "ch. 95 1/2" was changed to "ch. 38".

NOTICE OF ADOPTED AMENDMENTS

In Section 1040.101(b), lines 4 and 5, a comma was added following the year in the dates.

In Section 1040.100(c), the closing parenthesis in line 6 was moved to appear immediately after the paragraph number in line 5.

Finally, the entries in the main source note and Section source notes were changed to reflect that the Administrative Code Division is now publishing Volume 13 of the Illinois Register.

Pursuant to agreements reached with the Joint Committee on Administrative Rules, the following changes were made:

In the Main Source Note the following text was added, "amended at 13 Ill. Reg. 1593, effective January 23, 1989".

In line 3 of Section 1040.101(b), the words "Chapter 6 of" were deleted in the definition of "Reinstatement fees".

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the Agreement Letter issued by JCAR? Yes.

13) Will this rule replace any Emergency Rule(s) currently in effect? No.

14) Are there any other amendments pending on this Part? No.

15) Summary and Purpose of Rule: This rulemaking establishes criteria for the suspension of a driver's license for curfew violations. It also establishes criteria used by the Department when rescinding orders suspending, revoking or cancelling an individual's driving privileges. Finally, this rulemaking establishes the criteria for reinstatement fees.

16) Information and answers to questions regarding this Adopted Rule should be directed to:

Nancy G. Easum
Deputy General Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
Tel: 217/782-5356

The full text of the Adopted Rule begins on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

- Section
1040.10 Court to Forward Licenses and Reports of Convictions
1040.20 Illinois Traffic Offense Table
1040.30 3 or More Traffic Offenses Committed Within 12 Months
1040.32 Suspension or Revocation of Licenses or Permits
Used Fraudulently
1040.35 Commission of an Offense Requiring Mandatory Revocation
Upon Conviction
1040.38 Commission of a Traffic Offense in Another State
1040.40 Repeated Convictions or Collisions
1040.41 Suspension of Licenses for Curfew Violations
1040.42 Fleeing and Eluding
1040.43 Illegal Transportation
1040.46 Fatal Accident and Personal Injury Suspensions
1040.48 Vehicle Emission Suspensions
1040.50 Suspension or Revocation of a License of
Commercial Vehicle Driver
1040.60 Release of Information Regarding a Disposition
of Court Supervision
1040.65 Offenses Occurring on Military Bases
1040.66 Invalidation of a Restricted Driving Permit
1040.70 National Driver Register
1040.100 Rescissions
1040.101 Reinstatement Fees
- AUTHORITY:** Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-201 et seq. and 6-700 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282 effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at

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NOTICE OF ADOPTED AMENDMENTS

13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 1, 1989.

Note: Boldface type denotes statutory language.

Section 1040.41 Suspension of Licenses for Curfew Violations

a) For purposes of this Section, the following definitions shall apply:

"Adult" - person eighteen (18) years of age or older.

"Curfew" - stipulated hours which any person under 17 years of age may not lawfully be present at or upon any public assembly, building, place, street or highway as provided in Section 1 of "AN ACT relating to a curfew for certain children" (Ill. Rev. Stat. 1987, ch. 23, par. 2371).

"Department" - Department of Driver Services within the Office of the Secretary of State.

b) A person who is under 17 years old is in violation of Section 6-110(a) of The Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-110(a)) if he/she operates a motor vehicle on any highway during any time such licensee is prohibited from being in a public place because of curfew.

c) The Department shall take the following action pursuant to Section 6-206(a)(13) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-206(a)(13)) for curfew violation convictions:

- 1) 1st Conviction - 60 day suspension
- 2) 2nd Conviction - 90 day suspension
- 3) 3rd Conviction or more - 6 month suspension

(Source: Added at 13 Ill. Reg. 8659, effective June 1, 1989.)

Section 1040.100 Rescissions

a) For purposes of this Section, the following definitions shall apply:

"Cancellation" - the annulment or termination by formal action of the Secretary of a person's driver's license because of some error or defect in the license or because the licensee is no longer entitled to such license, but the cancellation of a

NOTICE OF ADOPTED AMENDMENTS

license is without prejudice and application for a new license may be made at any time after such cancellation as defined in Section 1-110 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 1-110).

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Failure to Appear Suspension(s)" - suspension for failing to pay a fine or appear in court following the issuance of a traffic ticket.

"Revocation" - termination by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the Secretary after the expiration of at least one year after the date of revocation as defined in Section 1-176 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 1-176).

"Statutory Summary Suspension" - withdrawal of a person's license or privilege to operate a motor vehicle on the public highways due to refusal to submit to or failure to complete or pass a chemical test or tests following an arrest for driving under the influence of drugs and/or alcohol as provided in Section 1-203.1 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 1-203.1).

"Stricken on Leave" - stricken off call with leave to reinstate.

"Supervision" - a disposition of conditional and revocable release without probationary supervision, but under such conditions and reporting requirements as are imposed by the court, at the successful conclusion of which disposition the defendant is discharged and a judgment dismissing the charges is entered as defined in Section 5-1-21 of the Unified Code of Corrections (Ill. Rev. Stat. 1987, ch. 38, par. 1005-1-21).

"Vacated" - to set aside, annul, rescind, under void, or cancel an order.

"Warrant Parking/Traffic Suspensions" - suspensions for arrest warrants issued for failure to pay fines for traffic and/or parking violations.

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b) The Department shall rescind the following orders when the specified criteria are met:

1) Suspensions and revocations, except warrant parking/traffic suspensions and failure to appear suspensions (as applied to residents and non-residents), upon receipt of certified court evidence reporting non-conviction(s), supervision(s), stricken on leave (S.O.L.), or a correction or an amendment stating there was an error which formed the basis of the suspension or the revocation and it has been vacated or that a previously submitted judgment has been reversed.

2) Cancellation upon receipt by the Department of one of the following:

A) evidence from an instructor of a Driver Education Program indicating the driver has re-enrolled in the program; or,

B) favorable physical or psychiatric report from a licensed medical specialist prior to the effective date of the cancellation or receipt of a second report completed by the licensed medical specialist showing the original report submitted was incorrect; or,

C) evidence from a licensed medical specialist indicating that he/she failed to submit a favorable medical report for the driver within 90 days; or,

D) evidence reversing a decision made by the Department that two (2) driver's license records are the same person; or,

E) court evidence changing the disposition of a conviction previously reported upon which the cancellation was based; or,

F) documentation from another state licensing agency which reverses an original report upon which the cancellation was based.

3) Failure to Appear Suspensions upon receipt of certified court evidence vacating the Failure to Appear or when the Department receives a compliance notice or court receipt prior to the effective date of the suspension indicating that the charges have been satisfied.

4) Statutory Summary Suspensions upon receipt of a Certified Hearing Disposition Notice or court order from the court of venue to rescind the suspension.

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5) Warrant/Parking Traffic Suspensions upon receipt of certified evidence from the court indicating that the original report was in error or that the person identified in the original report was the wrong defendant or the Department receives notice of final disposition prior to the effective date of the suspension.

c) The Department shall rescind a suspension or revocation pursuant to a decision rendered by the Department of Administrative Hearings within the Office of the Secretary of State as provided in Section 2-118 of The Illinois Vehicle Title and Registration Law of The Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-118) and 92 Ill. Adm. Code 1001.

(Source: Added at 13 Ill. Reg. 8659, effective June 1, 1989)

Section 1040.101 Reinstatement Fees

a) For purposes of this Section, the following definitions shall apply:

"Concurrent actions requiring reinstatement fees" - situation in which a driver has either two (2) or more suspensions, except miscellaneous suspensions, or two (2) or more revocations or a combination thereof on the driving record which were in effect at the same time.

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Miscellaneous Suspensions" - suspensions for Safety Responsibility, Unsatisfisfied Judgment, Financial Responsibility and Auto Emissions violations.

"Reinstatement fees" - fees required to restore a person's driving privileges after a person has been suspended or revoked pursuant to any provision of the Illinois Driver Licensing Law of the Illinois Vehicle Code or Section 11-501.1 of the Illinois Rules of the Road of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-100 et seq. and 11-501.1) as provided for in Section 6-118 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-118).

b) The fee collected by the Department for reinstatement of a driver's license following a suspension excluding statutory summary suspensions shall be the rate that was in effect on the date the suspension began unless the suspension started prior to January 1, 1980, and was not terminated or removed until January 1, 1980, or thereafter in which case payment will be equal to the rate in effect on January 1, 1980.

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c) The fee collected by the Department for reinstatement of a driver's license following a revocation or a statutory summary suspension shall be the rate that was in effect on the date of the reinstatement.

d) The fee collected by the Department for concurrent actions requiring reinstatement fees shall be the highest rate that would be charged for a single action if each action were considered separately.

e) In the case of a statutory summary suspension, the Department shall collect \$60.00 in reinstatement fees from the court as provided for in Section 6-118 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-118).

f) If a suspension or revocation is rescinded, the Department shall not collect a reinstatement fee for that specific action.

(Source: Added at 13 Ill. Reg. 8659, effective June 1, 1989)

DEPARTMENT OF TRANSPORTATION

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NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Floodway Construction in Northeastern Illinois
- 2) Code Citation: 92 Ill. Adm. Code 708
- 3) Section Numbers:
708.80
708.90
708.180
- 4) Statutory Authority: Implementing and authorized by Section 18g of "AN ACT in relation to the regulation of the rivers, lakes and streams of the State of Illinois" (Ill.Rev.Stat. 1987, ch. 19, par. 65g)
- 5) Effective date of rules: May 23, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date filed in agency's principal office: May 16, 1989
- 9) Notice of proposal published in Illinois Register:
February 3, 1989, 13 Ill. Reg. 1503
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
Inserted the word "Regulatory" before the word "Floodway" on the Table of Contents page for Section 708.70.
Capitalized the word "SOURCE" in the main source note.
Initially capped the word, "Section" in the second line of Section 708.90(i).
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued to JCAR? Yes
- 13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules:

At this time, the Department is amending Part 708 in response to notification from the JCAR that the Department made certain nonsubstantive, grammatical errors when this Part was originally filed in November 1988.

In addition to the minor corrections referenced above, the Department is amending Section 708.90(i) to remove the word "not" which was erroneously included in the phrase "shall not be subject to Department review or Department Permits."

16) Information and questions regarding these adopted rules shall be directed to:

Mr. David Boyce, Chief
Floodplain Management Section
Division of Water Resources
2300 South Dirksen Parkway, Rm. 024
Springfield, Illinois 62764
(217) 782-3862

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER 1: WATER RESOURCESPART 708
FLOODWAY CONSTRUCTION IN NORTHEASTERN ILLINOIS

Section	Purpose
708.10	Definitions
708.20	Jurisdiction
708.30	General Provisions
708.40	Regulatory Floodway Maps
708.50	Delineation of the Regulatory Floodway
708.60	Permitting Appropriate Uses of the Regulatory Floodway
708.70	Changes to the Regulatory Floodway
708.80	Delegation to Municipalities and Counties
708.90	Violations
708.100	Permit Application
708.110	Public Notice
708.120	Public Hearings
708.130	Time to Permit Issuance; Emergency Authorizations; Duration;
708.140	Revisions
708.150	Permit Conditions
708.160	General Permits
708.170	Regional Permits
708.180	Final Administrative Decisions
708.190	Effective Date

AUTHORITY: Implementing and authorized by Section 18g of "AN ACT in relation to the regulation of the rivers, lakes and streams of the State of Illinois" (Ill. Rev. Stat. 1987, Ch. 19, par. 65g).

SOURCE: Adopted at 12 Ill. Reg. 20547, effective November 29, 1988; amended at 13 Ill. Reg. 8667, effective May 23, 1989.

NOTE: Capitalization denotes statutory language.

Section 708.80 Changes to the Regulatory Floodway

- a) The 100-year frequency flood profile and regulatory floodway shall not be changed by the Department unless one of the following has occurred:

- 1) The original regulatory floodway delineation is shown by the applicant's engineer to be in error based upon a review of physical data or the mathematical model;

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NOTICE OF ADOPTED AMENDMENTS

- 2) There are changed conditions such as changes in land use or modifications to the ground elevations which require modification of the original regulatory floodway computations; or
- 3) A public flood control project has been constructed and is operable; or
- 4) The unit of local government exercising zoning control over an area within its corporate limits proposes or concurs in the proposal that the floodway storage or conveyance be relocated to facilitate development and a unit of local government will either:
- A) Assume responsibility to operate and maintain any modifications or improvements made to relocate the floodway; or
- B) Have the right and will agree, upon default of the party primarily responsible for such operation and maintenance, to undertake such operation and maintenance.
- b) Any person contesting the correctness of the delineation shall be given an opportunity to submit his or her own technical evidence of error or changed conditions. The Department will review the technical evidence to determine the correctness of the delineation.
- c) Effective regulatory floodway conveyance or storage can be relocated by moving the regulatory floodway delineation onto the existing flood fringe property if the following criteria are met:
- 1) It must be shown through engineering calculations that the new regulatory floodway storage or conveyance gained effectively compensates for lost regulatory floodway storage or conveyance;
- 2) If the affected property is other than the applicant's or is subdivided or proposed to be subdivided, covenants shall be obtained and recorded on the affected properties to assure that they are maintained with the existing and future owner's agreement as regulatory floodway storage or conveyance areas;
- 3) The regulatory floodway map is revised to include the new area as regulatory floodway; and
- 4) A notice of such regulatory floodway map change is recorded with the affected parcel in the county recorder's office.

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- d) After receipt of conditional approval of the regulatory floodway change and issuance of a permit, construction as necessary to change the regulatory floodway designation may proceed but no buildings or structures or other construction that is not an appropriate use may be placed in that area until the regulatory floodway map is changed. The regulatory floodway map will be revised upon acceptance by the Department and FEMA of the "as-built" plans.
- e) The Department may require deed restrictions, performance bonds or sureties, as-built certification or maintenance guarantees to assure projects are built according to permitted plans.
- f) All field surveys as required by this Part shall be conducted under the supervision of a registered professional engineer or registered land surveyor, and shall be so sealed. All required engineering analyses shall be conducted under the supervision of a registered professional engineer or in the case of a federal project, by the federal agency and shall be so sealed or stated.

(Source: Amended at 13 Ill. Reg. 8667, effective May 23, 1989)

Section 708.90 Delegation to Municipalities and Counties

- a) NO UNIT OF LOCAL GOVERNMENT, INCLUDING HOME RULE UNITS, MAY ISSUE A BUILDING PERMIT OR OTHER APPARENT AUTHORIZATION FOR ANY PROHIBITED NEW CONSTRUCTION WITHIN THE REGULATORY FLOODWAY (Section 18g of the Act).
- b) The Department will delegate to municipalities within incorporated areas and to counties within unincorporated areas the Department's authority to issue permits in accordance with this Part for non-governmental activities, upon determination by the Division that the following conditions have been met:
- 1) The municipality or county is participating in the regular phase of the National Flood Insurance Program;
 - 2) The municipality or county has enacted ordinance that adopts requirements at least as restrictive as this Part; and
 - 3) The municipality or county has enacted an ordinance which requires that all proposed regulatory floodway projects are reviewed under the supervision of a registered professional engineer under the employ or contract of the municipality or county and, in the case of appropriate uses, so stated in writing by that registered professional engineer to meet the specific requirements of Section 708.70.

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- c) The only permits a municipality or county may issue for new construction in a regulatory floodway are for appropriate uses as defined by Section 708.70 of this Part.
- d) If the proposed appropriate use will require a regulatory floodway delineation change or will change the flood stage elevation, the municipality or county shall require that the applicant obtain a conditional approval of the regulatory floodway map change from the Department and FEMA before a permit is issued for the appropriate use.
- e) No buildings or structures or other construction that is not an appropriate use shall be placed in a designated regulatory floodway until the designated regulatory floodway map has been revised to remove the building site from the regulatory floodway. A conditional approval of a regulatory floodway map change is not a change in the regulatory floodway map. After completing a project which will result in a regulatory floodway map revision, the applicant must submit "as built" plans to the Division and FEMA to revise the regulatory floodway map. The municipality or county will then be notified by the Department or FEMA when the regulatory floodway map has been changed, at which time a building permit may be issued.
- f) No municipality or county shall issue a variance not in compliance with this Part.
- g) Municipalities and counties may adopt and enforce ordinances with greater restrictions than those of this Part.
- h) If a municipality or county issues a regulatory floodway development permit not in accordance with this Part or fails to meet the criteria listed in subsections (b)(1)-(3), the Department will rescind the municipality's or county's authority to administer the Department's regulatory floodway permit program for appropriate uses.
- i) The following shall not be delegated to municipalities and counties as part of this Section and shall not be subject to Department review or Department permits:
- 1) Department permits shall be issued to organizations which are exempt from the municipality's or county's ordinance.
 - 2) The Department will permit Department projects, dams (as defined by 92 Ill. Adm. Code 702) and all other state, federal or local unit of government projects, including projects of the municipalities and counties.

DEPARTMENT OF REVENUE
NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish this information in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: Ill. Rev. Stat. 1987, ch. 127, par. 2001
(Public Act 82-727, effective November 12, 1981)

2. Summary of information:

Index of Department of Revenue Sales and Excise Tax letter rulings issued for the First Quarter of 1989.

The ruling letters are listed numerically with a brief synopsis and then indexed by subject area.

Sales and Excise Tax subject headings are as follows:

Agents	Interstate Commerce
Agricultural Producers & Products	Itinerant Vendors
Assessments	Leasing
Auto Renting Tax	Liquor Tax
Bingo	Local Taxes
Books and Records	Mandatory Service Charges
Bulk Sales	Manufacturers
Certificate of Registration	Medical
Cigarette Tax	Miscellaneous
Claims for Credit	Motor Fuel Tax
C.O.A.D.	Nexus
Coal Fueled Devices	Nonprofit Institutions
Coal Mining Equipment	Occasional Sale
Computer Software	Oil Field Equipment
Construction Contractors	Penalties
Cooperative Associations	Pollution Control Facilities
Delivery Charges	Power of Attorney
Developers Refund	Prepaid Sales Tax
Distillation Machinery	Products of Photoprocessing
Enterprise Zones	Property Tax
Exempt Organizations	Public Amusement
Farm Machinery and Equipment	Public Utility Taxes
Federal Excise Tax	Real Estate Transfer Tax
Financial Institutions	Repairs
Food and Drugs	Replacement Vehicle Tax
Games Of Chance	Returns
Governmental Bodies	Rolling Stock Exemption
Graphic Arts	Sale at Retail
Gross Sales	Sale for Resale
Hotel Operators Tax	Sale of Service
Interest	

DEPARTMENT OF TRANSPORTATION
NOTICE OF ADOPTED AMENDMENTS

- 3) The Department will review an engineer's determination that an existing bridge or culvert is not a source of flood damage pursuant to Section 708.70.
- 4) The Department will review an engineer's determination that a proposed bridge affected by backwater from a downstream receiving stream may be built with a smaller opening pursuant to Section 708.70.
- 5) The Department will retain its authority to accept alternative transition sections and hydraulically equivalent storage as indicated in Section 708.70.

(Source: Amended at 13 Ill. Reg. 8667, effective May 23, 1989)

Section 708.180 Final Administrative Decisions

The approval or denial of applications for permit under this Part shall be considered final administrative decisions and are subject to judicial review in accordance with the Administrative Review Law (Ill. Rev. Stat. 1987, ch. 110, par. 3-101 et seq.).

(Source: Amended at 13 Ill. Reg. 8667, effective May 23, 1989)

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

(Continued)

Sellers of Newspapers,
Magazines, Etc.
Signature
Special Order
Statute of Limitations
Tax Collection
Tax Increment Financing
Tax Rate
Telecommunications Excise Tax
Temporary Storage
Trade-Ins
Undertakers
Use Tax
Vehicle Use Tax
Vendors

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 25¢ per page for each page over one.

The annual publication (all four quarters) is available for \$4.50.

3. Name and address of person to contact concerning this information:

Margaret Forth
Legal Division
101 West Jefferson Street
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Telephone: (217) 782-6996

DEPARTMENT OF REVENUE

1989 FIRST QUARTER SUNSHINE INDEX

AGENTS

- 89-0033 1-09-89 When an agent who is acting for a disclosed principal makes a sale, the receipts from that sale are taxable to the principal provided the principal is engaged in the business of selling tangible personal property at retail. See, 86 Ill. Adm. Code Section 130.1915.
- 89-0119 2-21-89 When an auctioneer acts as an agent for an undisclosed principal, the auctioneer is required to collect and remit ROT.
- 89-0134 2-23-89 When an auctioneer sells tangible personal property to end-users as an agent for an unknown or undisclosed principal, the auctioneer is deemed the owner of the property being sold and the auctioneer must remit ROT on such sales. See, 86 Ill. Adm. Code 130.1915.
- 89-0138 2-27-89 When an auctioneer acts as an agent for an unknown or undisclosed principal, the auctioneer is deemed to be the owner of the property being sold and the auctioneer incurs Retailers' Occupation Tax liability upon sales of tangible personal property for use or consumption. See, 86 Ill. Adm. Code 130.1915.

ASSESSMENTS

- 89-0069 1-23-89 Section 13 1/2 of the ROT Act gives the Department authority to issue a notice of penalty liability against a responsible officer/employee of a corporation.
- 89-0203 3-24-89 When a notice of penalty liability is issued based upon an admitted liability, the second prong of the statute of limitations located in ch. 120, par. 452 1/2 applies. That is the Department has three years after the date any return involving an admitted liability is filed with the Department to issue the notice of penalty liability.

AUTO RENTING TAX

- 89-0028 1-05-89 Under recent amendments to the Automobile Renting Occupation Tax Act, the tax is applicable to motor vehicles of the second division which are self-contained motor vehicles designed or permanently converted to provide living

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quarters for recreational, camping or travel use, with direct walk through access to the living quarters from the driver's seat.

89-0067 1-19-89 The Automobile Renting Occupation Tax is not imposed on insurance waivers.

89-0148 3-01-89 When a lessor of an automobile sells the automobile after leasing it, the transaction is a sale at retail subject to ROT. See 86 Ill. Adm. Code 130.111.

89-0155 3-02-89 A taxicab company which uses drivers as its agents (no lease between company and driver) is not subject to Automobile Renting Occupation and Use Tax. On the other hand, when a taxicab company leases cabs to drivers, such companies are subject to the Automobile Renting Occupation and Use Tax Act.

89-0171 3-09-89 A person who rents automobiles for periods of one year or less incurs Automobile Renting Occupation Tax liability on rental receipts.

BOOKS AND RECORDS

89-0027 1-05-89 Books and records, generally, must be retained for three to three and one-half years which is the same period of time within which a notice of tax liability can be issued by the Department of Revenue.

89-0058 1-12-89 The Retailers' Occupation Tax Act requires the retailer to maintain, at a minimum, cash register tapes and other data which will provide a daily record of the gross receipts from retail sales. See 86 Ill. Adm. Code 130.805(a).

89-0096 2-07-89 Under certain circumstances, taxpayers may be authorized to retain daily sales summaries in lieu of cash register tapes.

CERTIFICATE OF REGISTRATION

89-0052 1-12-89 It is unlawful for any person to sell tangible personal property at retail without first obtaining a certificate of registration from the Department. See Ill. Rev. Stat., ch. 120, par. 441a.

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89-0079 1-30-89 Section 2a of the Retailers' Occupation Tax Act makes it unlawful for any person to sell tangible personal property at retail in this State without having first obtained a Certificate of Registration.

89-0135 2-23-89 Section 2a of the ROT Act makes it unlawful to sell tangible personal property at retail in this State without first having obtained a Certificate of Registration from the Department of Revenue.

CLAIMS FOR CREDIT

89-0037 1-09-89 The statute of limitations for filing claims for credit is from three to three and one-half years.

89-0041 1-09-89 When a vendor files a claim for credit, it must comply with the requirements of 86 Ill. Adm. Code 130.1501.

COAL MINING EQUIPMENT

89-0114 2-17-89 A machine that reduces coal dust in the atmosphere as it moves along the conveyor belt qualifies for the exemption afforded coal mining machinery and equipment.

COMPUTER SOFTWARE

89-0074 1-26-89 Because the Illinois Supreme Court has held that computer software is not tangible personal property, the sale of computer software does not result in gross receipts that are subject to ROT. See, 86 Ill. Adm. Code Section 130.1935.

89-0100 1-08-89 Computer software, whether canned or custom, is not subject to Retailers' Occupation Tax as per 86 Ill. Adm. Code Section 130.1935.

89-0109 2-09-89 Software and the instruction manuals that come with it are exempt from Retailers' Occupation Tax or Use Tax so long as charges for those items are separately stated if sold along with taxable items.

89-0218 3-28-89 The sale of computer software by itself in Illinois is not a sale at retail because the Illinois Supreme Court has said that computer software is an intangible. See 86 Ill. Adm. Code Section 130.1935.

CONSTRUCTION CONTRACTORS

89-0008 1-04-89 Construction contractors are not required to be registered as retailers if their business is solely comprised of the sale, with installation, of items that become a permanent part of the real estate so long as the construction contractor pays the applicable Illinois taxes to suppliers of such items.

89-0040 1-09-89 A contractor who takes building materials off the market and uses them to construct permanent real estate improvements is the legal end-user of those materials and incurs Illinois Use and Local Retailers' Occupation Tax reimbursement liabilities based on his cost price.

89-0062 1-19-89 A sale of building materials to a construction contractor is a sale at retail when the contractor will incorporate those building materials into real estate.

89-0063 1-19-89 A modular home dealer will be viewed as a construction contractor if he is required to physically affix the modular home to real estate.

89-0081 1-30-89 A construction contractor located in a municipality which has created an enterprise zone may purchase building materials tax-free if those building materials are purchased from a retailer located within that municipality and if those building materials are going to be incorporated into real estate within the enterprise zone.

89-0084 2-01-89 Construction Contractors incur no Retailers' Occupation Tax liability when selling and installing tangible personal property so that it becomes a part of the real estate into which it is installed notwithstanding the fact that the contractor may hire an independent contractor to do the installation work.

89-0133 2-23-89 Buried telephone lines are considered to remain tangible personal property and a contractor installing such lines could not claim to be a real estate construction contractor with respect to the installation of such lines.

89-0139 2-27-89 Under Illinois law, a person who takes tangible personal property off the market and converts it into permanent real estate is a construction contractor who

incurs Illinois Use and Local Retailers' Occupation Tax reimbursement liabilities upon purchase of the property.

89-0189 3-21-89 Under Illinois law, a construction contractor is one who takes building materials off the market and physically incorporates them into permanent real estate. Construction contractors are the legal users of those building materials and incur Illinois Use and Local Retailers' Occupation Tax reimbursement liabilities based on their cost price.

89-0212 3-27-89 A construction contractor who takes tangible personal property off the market and converts it into permanent real estate is the legal end user of the property and incurs Illinois Use and Local Retailers' Occupation Tax reimbursement liabilities upon purchase of such materials.

89-0217 3-28-89 A person who takes tangible personal property off the market and converts it into permanent real estate is the legal end-user of the property and incurs Illinois Use and Local Retailers' Occupation Tax reimbursement liabilities upon purchase of the building materials.

89-0222 3-28-89 Construction contractors are deemed to be the users of materials purchased for physical incorporation into real estate.

89-0223 3-29-89 A person who takes tangible personal property off the market and converts it into permanent real estate is the legal user of the building materials and incurs Illinois Use and Local Retailers' Occupation Tax reimbursement liabilities upon purchase.

DELIVERY CHARGES

89-0103 2-08-89 Gross receipts subject to Retailers' Occupation Tax include outgoing delivery or transportation charges unless those charges are separately contracted for.

ENTERPRISE ZONES

89-0081 1-30-89 A construction contractor located in a municipality which has created an enterprise zone may purchase building materials tax-free if those building materials are purchased from a retailer located within that municipality and if those building materials are going to be incorporated into real estate within the enterprise zone.

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89-0209 3-24-89 For building materials to be sold tax-free, they must be sold by a retailer located within a municipality (or county) which created the enterprise zone into which the building materials will be incorporated.

EXEMPT ORGANIZATIONS

89-0042 1-10-89 Vendors of meals incur ROT when selling food to members of an exempt organization because the sales are to individuals, not sales to the exempt organization.

89-0077 1-30-89 A resuscitator sold to an individual who requires the resuscitator because of his medical condition is a medical appliance subject to the reduced rate of tax. When the resuscitator is paid for by Medicaid, the State and local taxes do not apply because the sale is viewed as an exempt organization.

89-0110 2-10-89 A hotel operator is subject to the Hotel Operators' Occupation Tax even if the person paying for the rental of the room is a church, charity, school or governmental agency. See, 86 Ill. Adm. Code 140.101(b)(3).

89-0193 3-22-89 Federal credit unions are exempt from Use Tax under 12 USC 1768, but a supplier of such a Federal credit union is not relieved of Retailers' Occupation Tax liability on his sale to same.

FARM MACHINERY & EQUIPMENT

89-0007 1-04-89 Structures which perform a storage function do not qualify for the farm machinery and equipment exemption.

89-0112 2-14-89 Free-standing hog houses, whether made of wood or corrugated metal, are not machinery or equipment and, therefore, do not qualify for the farm machinery and equipment exemption.

89-0125 2-23-89 All Terrain Vehicles do not qualify for the farm machinery and equipment exemption.

89-0129 2-23-89 Ordinary building materials do not qualify for the exemption afforded farm machinery and equipment. See, 86 Ill. Adm. Code 130.305.

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89-0158 3-03-89 The Department of Revenue views all terrain vehicles (ATV's) as being primarily recreational and therefore, not items that can qualify for the farm machinery and equipment exemption. In addition, transporting a farmer around a farmstead does not constitute production agriculture.

89-0170 3-09-89 An all-terrain vehicle does not qualify for the exemption afforded farm machinery and equipment.

89-0197 3-23-89 Computer equipment used by farmers to manage an agricultural business does not qualify for the farm machinery and equipment exemption.

FEDERAL EXCISE TAX

89-0017 1-05-89 Federal Excise Tax of 12% which is imposed on trucks over 33,000 lbs. gross vehicle weight is excludable from the Retailers' Occupation Tax base.

89-0122 2-22-89 Request for Information.

89-0146 3-01-89 The legal incidence of the federal excise tax on highway tires is on the producer or importer and not the consumer. Consequently, it is part of gross receipts subject to ROT.

FOOD AND DRUGS

89-0001 1-03-89 Medical appliances qualify for low rate of tax.

89-0002 1-03-89 When a gift package is sold which contains high rate and low rate and non food items, the low rate of tax applicable to food will apply if the value of the food is equal to or greater than 51% of the value of the entire package.

89-0016 1-05-89 A health care professional transferring medical appliances and drugs as an incident to its sale of service incurs local, but not State, Service Occupation Tax liability on such transfers.

89-0023 1-05-89 Food, drugs and medical appliances qualify for the reduced rate of tax.

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- 89-0042 1-10-89 Vendors of meals incur ROT when selling food to members of an exempt organization because the sales are to individuals, not sales to the exempt organization.
- 89-0056 1-12-89 Items that qualify as medical appliances per 86 Ill. Adm. Code 130.310 are subject to a reduced rate of tax.
- 89-0108 1-09-89 The sale of food which has not been prepared for immediate consumption is subject to State ROT at the rate of 0%.
- 89-0111 2-10-89 Food items that are sold for immediate consumption are subject to the full rate of Retailers' Occupation Tax. See, 86 Ill. Adm. Code 130.310.
- 89-0113 2-17-89 A reduced rate of tax applies to food that is sold in a state where it is not prepared for immediate consumption.
- 89-0124 2-22-89 A nursing home provides a service and consequently incurs Service Occupation Tax liabilities on tangible personal property (e.g., food and medicine) transferred to the patients.
- 89-0159 3-03-89 Cleaning solutions for contact lenses can qualify for the low rate of tax applicable to foods, drugs and medical appliances.
- 89-0194 3-22-89 Not all food sold from vending machines is taxable at the high rate, in light of the Canteen case.
- 89-0206 3-24-89 The sale of food which has been prepared for immediate consumption is subject to the full rate of ROT.
- 89-0207 3-24-89 Pan coating spray comprised of vegetable oils is a food which is subject to the reduced rate of tax.
- 89-0213 3-27-89 This letter answers whether a list of items qualify for the low rate of Retailers' Occupation Tax per 86 Ill. Adm. Code 130.310.
- 89-0219 3-28-89 Food that is sold for immediate consumption is subject to the full rate of ROT. See 86 Ill. Adm. Code 130.310.

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GOVERNMENTAL BODIES

- 89-0229 3-31-89 When a health care professional transfers drugs and medical appliances to a patient whose bill is being paid for by Medicare or Medicaid, such sales are not subject to tax since they constitute sales to a governmental body.

GRAPHIC ARTS

- 89-0034 1-09-89 Photocopiers and facsimile equipment do not qualify for the Graphic Arts Machinery and Equipment Exemption.
- 89-0094 2-07-89 Machinery and equipment that is used primarily in graphic arts production can be exempt from Retailers' Occupation and Use Taxes per 86 Ill. Adm. Code 130.325.
- 89-0179 3-14-89 The sale of machinery or equipment that will be used primarily in graphic arts production can be exempt from Retailers' Occupation Tax per 86 Ill. Adm. Code 130.325.

GROSS RECEIPTS

- 89-0017 1-05-89 Federal Excise Tax of 12% which is imposed on trucks over 33,000 lbs. gross vehicle weight is excludable from the Retailers' Occupation Tax base.
- 89-0057 1-12-89 If a retailer allows a purchaser a discount from the selling price on the basis of a coupon for which the retailer receives no reimbursement from any source, the amount of such discount is not subject to Retailers' Occupation Tax liability. On the other hand, if a retailer allows a purchaser a discount on the basis of a coupon for which the retailer does receive full or partial reimbursement (from a distributor, etc.), the retailer incurs Retailers' Occupation Tax liability on the receipts received from the purchaser and the amount of any coupon reimbursement.
- 89-0074 1-26-89 Because the Illinois Supreme Court has held that computer software is not tangible personal property, the sale of computer software does not result in gross receipts that are subject to ROT. See, 86 Ill. Adm. Code Section 130.1935.

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89-0103 2-08-89 Gross receipts subject to Retailers' Occupation Tax include outgoing delivery or transportation charges unless those charges are separately contracted for.

89-0115 2-17-89 If a retailer allows a purchaser a discount from the selling price on the basis of prompt payment, then only the amount of receipts actually received by the retailer from the purchaser are subject to ROT.

89-0126 2-23-89 Because the Retailers' Occupation Tax is based upon the total gross receipts that are received by the retailer, money received by an automobile dealer from the manufacturer in a rebate program is subject to tax.

89-0137 2-24-89 When a manufacturer's warranty is included in the selling price of the item of tangible personal property being sold, the cost of the warranty is included in the gross receipts that form the tax base of the item when it is sold.

89-0144 2-28-89 The Retailers' Occupation Tax Act contains no exemption for that portion of the purchase price of a new car which represents a cash repurchase settlement from a manufacturer made under the provisions of the New Car Buyer Protection Act.

89-0146 3-01-89 The legal incidence of the federal excise tax on highway tires is on the producer or importer and not the consumer. Consequently, it is part of gross receipts subject to ROT.

89-0156 3-02-89 Installation charges must be included in gross receipts unless agreed to apart from the selling price of the items being sold.

89-0174 3-09-89 Because the Retailers' Occupation Tax is imposed upon total gross receipts received by the retailer, money provided by a manufacturer in a rebate program is subject to tax.

89-0204 3-24-89 Installation charges are subject to ROT unless a separate agreement exists for such charges. See 86 Ill. Adm. Code 130.450.

89-0205 3-24-89 Restocking charges are not taxable gross receipts for purposes of ROT.

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89-0214 3-27-89 When a retailer allows a purchaser a discount from the selling price on the basis of a discount coupon for which the retailer receives no reimbursement from any source, the amount of the discount is not subject to ROT. See 86 Ill. Adm. Code 130.2125.

89-0221 3-28-89 Separately contracted for rust proofing charges are subject to SOT, not ROT.

HOTEL OPERATORS TAX

89-0064 1-19-89 A hotel operator incurs HOOT liability even when the occupant is a Federal employee.

89-0110 2-10-89 A hotel operator is subject to the Hotel Operators' Occupation Tax even if the person paying for the rental of the room is a church, charity, school or governmental agency. See, 86 Ill. Adm. Code 140.101(b)(3).

89-0145 1-13-89 The Hotel Operators' Occupation Tax Act imposes a tax upon persons engaged in the business of renting rooms.

89-0191 3-22-89 The Hotel Operator's Occupation Tax is imposed upon persons engaged in the occupation of renting hotel or motel rooms. The tax is due even if the person paying for the room is a governmental agency. See 86 Ill. Adm. Code 480.101(b)(3).

INTEREST

89-0061 1-19-89 When a bank gives a depositor a premium in lieu of interest, the bank is making a sale at retail and incurs Retailers' Occupation Tax liability based on the amount of interest that the customer would have received had he received cash instead of merchandise.

INTERSTATE COMMERCE

89-0132 2-23-89 As indicated in 86 Ill. Adm. Code 130.605, sales in interstate commerce are not subject to Retailers' Occupation Tax.

89-0172 3-09-89 A sale is not deemed to be in Interstate Commerce if the purchaser or his representative receives the physical possession of the property in Illinois. This is because by

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accepting delivery of the property in Illinois the purchaser is exercising an incident of ownership over the property that subjects it to Illinois tax. See 86 Ill. Adm. Code 130.605(a).

LEASING

89-0030 1-09-89 Lessors of tangible personal property incur a Use Tax liability when they purchase items for lease or rental purposes. The only exception is the lessor of automobiles to be leased under lease terms of one year or less.

89-0048 1-11-89 Under Illinois law, a lessor of tangible personal property is the legal user of that property and consequently incurs Use Tax liability "up front".

89-0088 2-02-89 Out-of-state leasing company incurs a Use Tax liability on its cost price of tangible personal property which it rents to Illinois lessees.

89-0089 2-02-89 Out-of-state lessor of tangible personal property incurs a Use Tax liability based on its cost price of the property purchased for rental purposes.

89-0177 3-10-89 For Illinois sales tax purposes, the lessor of tangible personal property is the legal user of the property and incurs Illinois Use Tax "up front" upon the value of the property when it is brought into Illinois for the purpose of leasing.

89-0195 3-22-89 In the context of leasing, lessors of tangible personal property are deemed to be the end-users of that property.

LOCAL TAXES

89-0005 1-03-89 Effective July 1, 1986, DuPage and Lake Counties imposed .25% County Supplementary Taxes.

89-0013 1-05-89 Under the MES exemption, Mass Transit District sales taxes do not apply to qualifying machinery but St. Clair County and certain municipalities in Illinois have reimposed 1% taxes on such sales.

89-0016 1-05-89 A health care professional transferring medical appliances and drugs as an incident to its sale of service

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incurs local, but not State, Service Occupation Tax liability on such transfers.

89-0046 1-11-89 MROT is incurred by a retailer who either accepts purchase orders within a municipality or who has his merchandise physically located in an IL inventory at the time of sale.

89-0085 2-01-89 A primary serviceman located in Illinois must self-assess local SOT when purchasing from an out-of-state unregistered subcontractor/supplier a medical appliance repair part which will be transferred by the primary serviceman to his customer. However, 1/4% County Supplementary and DuPage Water Commission SOT does not apply in this situation.

89-0092 2-07-89 The incidence of the Municipal Retailers' Occupation Tax is upon the retailer. However, the Municipal Retailers' Occupation Tax Act contains statutory authorization for the retailer to reimburse itself by collecting an equivalent amount from the customer.

89-0117 2-17-89 The Illinois Municipal Code authorizes municipalities to impose a tax at a rate up to 5% upon the gross receipts received by a person engaged in the business of selling electricity.

89-0147 3-01-89 The incidence of the Municipal Retailers' Occupation Tax is upon the retailer. However, the Municipal Retailers' Occupation Tax Act contains statutory authorization for the retailer to reimburse itself by collecting an equivalent amount of the tax from the customer.

89-0151 3-02-89 Relative to municipalities that have imposed MROT, a retailer who either accepts purchase orders within such a municipality, so as to create a binding agreement to sell, or a retailer who accepts purchase orders outside the State, but has his merchandise located in his inventory within such a municipality, incurs MROT for that particular municipality.

89-0184 3-20-89 A retailer located on Arsenal Island which is on the Illinois side of the middle of the Mississippi River is deemed to be a Rock Island County retailer for purposes of the County ROT.

89-0188 3-21-89 The location where the seller accepts the purchase order determines the local Retailers' Occupation Tax. See 86 Ill. Adm. Code 270.115(b).

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MANUFACTURERS

- 89-0013 1-05-89 Under the MES exemption, Mass Transit District sales taxes do not apply to qualifying machinery but St. Clair County and certain municipalities in Illinois have reimposed 1½ taxes on such sales.
- 89-0035 1-09-89 The use of machinery or equipment in nonproduction activities such as disposal of waste, scrap or residue, does not qualify for the manufacturing machinery and equipment exemption.
- 89-0045 1-11-89 Supplies used in the manufacturing process are not eligible for the manufacturing machinery and equipment exemption and are subject to tax. See, 86 Ill. Adm. Code 130.330(c)(3).
- 89-0054 1-12-89 The manufacturing machinery and equipment exemption for repair and replacement parts is only available for "over the counter" sales. The exemption is not available when parts are transferred incident to a repair service.
- 89-0065 1-19-89 The MES exemption extends to machinery and equipment which is used directly in the manufacturing or assembling of tangible personal property destined for sale. A person doing custom converting of property which will be sold by the person for whom the converting is being done can also qualify for the exemption.
- 89-0078 1-30-89 Machinery or equipment that is used primarily to handle or transport materials prior to their entrance into the production cycle does not qualify for the manufacturing machinery & equipment exemption.
- 89-0090 2-06-89 In the context of the Manufacturing Machinery and Equipment Exemption, a sale of property is deemed to be made as of the date of delivery of such property. See, 89 Ill. Adm. Code 130.330(h)(2).
- 89-0098 2-07-89 Consumable supplies do not qualify for the Manufacturing Machinery & Equipment Exemption. See, 86 Ill. Adm. Code 130.330(c)(3).
- 89-0127 2-23-89 Machinery or equipment that is used primarily in a direct on-line manufacturing process can qualify for the exemption afforded manufacturing and equipment.

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- 89-0160 3-03-89 A person who manufactures a tool from raw materials and then sells the tool to a manufacturer can purchase the materials tax-free under a certificate of resale and can subsequently sell the tool to the customer tax-free under the MES exemption if the customer will use the tool in an exempt manufacturing process.
- 89-0161 3-03-89 Corn cobs which are ground up and which are used as abrasive media to effect a direct and immediate change on tangible personal property which will be sold can be purchased tax-free under the MES exemption when purchased by a manufacturer of tangible personal property for sale.
- 89-0182 3-20-89 Under the MES exemption, repair parts can be sold tax-free when they are sold at retail and become a physical component part of otherwise qualifying manufacturing machinery and equipment.

MEDICAL

- 89-0001 1-03-89 Medical appliances qualify for low rate of tax.
- 89-0016 1-05-89 A health care professional transferring medical appliances and drugs as an incident to its sale of service incurs local, but not State, Service Occupation Tax liability on such transfers.
- 89-0023 1-05-89 Food, drugs and medical appliances qualify for the reduced rate of tax.
- 89-0056 1-12-89 Items that qualify as medical appliances per 86 Ill. Adm. Code 130.310 are subject to a reduced rate of tax.
- 89-0077 1-30-89 A resuscitator sold to an individual who requires the resuscitator because of his medical condition is a medical appliance subject to the reduced rate of tax. When the resuscitator is paid for by Medicaid, the State and local taxes do not apply because the sale is viewed as an exempt organization.
- 89-0080 1-30-89 The testing of blood which is followed by the exchange of a printed report for consideration is a sale of service subject to Service Occupation Tax.
- 89-0085 2-01-89 A primary serviceman located in Illinois must self-assess local SOT when purchasing from an out-of-state unregistered subcontractor/supplier a medical appliance

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repair part which will be transferred by the primary serviceman to his customer. However, 1/4% County Supplementary and Durable Water Commission SOT does not apply in this situation.

89-0093 2-07-89 Corrective prescription lenses qualify as medical appliances and are consequently subject to the State SOT rate of 0%. See, 86 Ill. Adm. Code 130.310.

89-0095 2-07-89 This letter answers whether a list of items qualify for the reduced rate of tax as medical appliances.

89-0120 2-22-89 Corrective prescription lenses qualify as medical appliances for which the State Service Occupation Tax is imposed at the rate of 0%. See, 86 Ill. Adm. Code 130.310.

89-0143 2-28-89 Medical appliances transferred to patients generally qualify for low tax rate treatment.

89-0154 3-02-89 A decoding device which allows hearing-impaired individuals to read captions for television programs or videotapes, constitutes a medical appliance and is therefore, subject to the reduced rate of tax.

89-0159 3-03-89 Cleaning solutions for contact lenses are considered to be drugs which can qualify for the low rate of tax applicable to foods, drugs and medical appliances.

89-0180 3-15-89 An optometrist is a serviceman and tangible personal property that is transferred as an incident of optometric service, is subject to SOT liabilities. However, the State rate applicable to prescription lenses is 0%.

89-0187 3-21-89 Corrective prescription lenses qualify as medical appliances for which the State SOT is imposed at the rate of 0%. See 86 Ill. Adm. Code 130.310.

89-0213 3-27-89 This letter answers whether a list of items qualify for the low rate of Retailers' Occupation Tax per 86 Ill. Adm. Code 130.310.

89-0228 3-31-89 The sale of medical appliances to health care professionals for use in the delivery of medical services is subject to the full rate of ROT. See 86 Ill. Adm. Code 130.310(c).

89-0229 3-31-89 When a health care professional transfers drugs and medical appliances to a patient whose bill is being paid for

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by Medicare or Medicaid, such sales are not subject to tax since they constitute sales to a governmental body.

MISCELLANEOUS

89-0070 1-23-89 This letter discusses whether an out-of-state seller incurs Illinois Retailers' Occupation Tax liability or the obligation to collect and remit Use Tax, depending upon the activities of its sales agents in Illinois.

NEXUS

89-0020 1-05-89 Out-of-state retailers required to register with the Illinois Department of Revenue or who voluntarily register with the Illinois Department of Revenue are required to collect a 5% Use Tax when selling merchandise to Illinois end-users.

89-0021 1-05-89 An out-of-state retailer maintaining a place of business in Illinois is required to collect Illinois Use Tax.

89-0032 1-09-89 Servicemen maintaining a place of business in Illinois must collect a 5% SUT.

89-0049 1-11-89 An out-of-state retailer maintaining a place of business in Illinois must register to collect Illinois Use Tax.

89-0055 1-12-89 Out-of-state sellers who fall under the definition of a "retailer maintaining a place of business in this State" must register to collect Illinois Use Tax from Illinois customers. See 86 Ill. Adm. Code 150.201(i) and 150.801(c).

89-0059 1-13-89 An out-of-state seller that falls within the definition of a "retailer maintaining a place of business in this State" is required to register and collect and remit Illinois Use Tax. See 86 Ill. Adm. Code 150.201(i) and 150.801(c).

89-0070 1-23-89 This letter discusses whether an out-of-state seller incurs Illinois Retailers' Occupation Tax liability or the obligation to collect and remit Use Tax, depending upon the activities of its sales agents in Illinois.

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- 89-0099 2-07-89 An out-of-state seller who falls under the definition of a "retailer maintaining a place of business in this State", must register to collect Illinois Use Tax from Illinois customers. See, 86 Ill. Adm. Code 150.201(i) and 150.801(c).
- 89-0107 2-09-89 An out-of-state seller that falls within the definition of a "retailer maintaining a place of business in this State" is required to register and collect and remit Use Tax on sales to Illinois customers. See, 86 Ill. Adm. Code 150.201(i) and 150.801(c).
- 89-0116 2-17-89 An out-of-state seller that falls within the definition of a "retailer maintaining a place of business in this State" is required to register and collect and remit Use Tax on sales to Illinois customers. See, 86 Ill. Adm. Code 150.201(i) and 150.801(c).
- 89-0136 2-24-89 An out-of-state retailer maintaining a place of business in Illinois is required to register as an Illinois Use Tax collector.

OCCASIONAL SALE

- 89-0153 3-02-89 The sale of a used boat by a private individual who is not a retailer of boats is not a sale at retail but instead is an isolated or occasional sale.
- 89-0168 3-07-89 The purchase of flight simulators by a company that is not in the business of selling flight simulators is considered an occasional or isolated sale and is not subject to tax.
- 89-0196 3-23-89 An isolated or occasional sale of tangible personal property is not a sale at retail which would be subject to Retailers' Occupation Tax.

POLLUTION CONTROL FACILITIES

- 89-0083 12-02-88 Under the pollution control facility exemption a paint spray booth generally would not qualify since its primary purpose is economic in nature not a pollution control purpose.

DEPARTMENT OF REVENUE

- 89-0118 2-21-89 As a general rule, a trash compactor does not qualify for the pollution control facility exemption. However, a compactor that contains a deodorizing device may qualify.
- 89-0162 3-07-89 A waste water treatment facility whose primary purpose is to treat waste pollutants can qualify for the pollution control facility exemption.
- 89-0165 3-07-89 The purchase of seeds, fertilizer, etc. to be used in the seeding of containment ponds by a mining company is taxable and does not qualify for the exemption afforded pollution control facilities.
- 89-0230 2-22-89 Generally, a compactor does not qualify for the exemption afforded pollution control facilities. However, a compactor that contains a deodorizing device may qualify.

PRODUCTS OF PHOTOPROCESSING

- 89-0011 1-05-89 The Retailers' Occupation Tax base applicable to sales of the products of photoprocessing is the photoprocessing component of the retailer's charge to the user. If this photoprocessing component is not shown as a separate item, the base is 50% of the retailer's billing to the user.
- 89-0012 1-05-89 Photoprocessing done by photographers is a sale at retail and photoprocessing includes priority or rush service, mounting, overtime charges, airbrushing, retouching, stripping and image blocking, but does not include numbering and collating slides since this service occurs after the photoprocessing procedure has been completed.
- 89-0018 1-05-89 A photographer who sells the products of photofinishing is making a sale at retail and incurs a sales tax liability on the photoprocessing component of the sale.
- 89-0026 1-05-89 The sale of microfilm is subject to Retailers' Occupation Tax with the base being the photoprocessing component of the overall charge.
- 89-0047 1-11-89 Effective 9/1/88, sales of products of photofinishing are deemed to be sales at retail rather than sales of service.

DEPARTMENT OF REVENUE

89-0050 1-11-89 Where a sale of a product of photofinishing is involved, the Retailers' Occupation Tax is imposed only on the photoprocessing component of the photographer's bill to his client.

89-0053 1-12-89 A processing service involving no sale of a product of photofinishing is not a sale at retail.

89-0075 1-26-89 Effective September 1, 1988, the sale of a product of photoprocessing is a sale at retail subject to Retailers' Occupation Tax.

89-0082 12-01-88 Effective September 1, 1988 sales of the products of photoprocessing for use or consumption are subject to Retailers' Occupation Tax liability.

89-0091 2-06-89 Effective September 1, 1988, the sales of products of photoprocessing became sales at retail subject to ROT.

89-0102 2-08-89 A photographer selling the products of photofinishing should pay Use Tax to his supplier of film if he will not be reselling or retransferring the negatives to his customer.

89-0131 2-23-89 Effective September 1, 1988, the sale of a product of photoprocessing is a sale at retail subject to ROT.

89-0202 3-23-89 A sale of photographs at retail by a not-for-profit corporation which is not exclusively charitable, religious, educational or governmental is a sale at retail.

89-0216 3-28-89 Effective September 1, 1988, a sale of a product of photoprocessing is a sale at retail subject to ROT.

PUBLIC UTILITY TAX

89-0051 1-11-89 A company that purchases natural gas from an out-of-state location incurs neither Gas Revenue Tax nor the Use Tax. However, if such gas is transported by a utility company in this State, it is subject to the Gas Revenue Tax on the transportation of such gas in this State to the company's facility.

89-0117 2-17-89 The Illinois Municipal Code authorizes municipalities to impose a tax at a rate up to 5% upon the gross receipts received by a person engaged in the business of selling electricity.

DEPARTMENT OF REVENUE

89-0157 3-03-89 Certifies "Fedders Air Conditioning USA, Inc." as being exempt from the pass-on of utilities tax on its purchases of gas or electricity from Central Illinois Public Service Company.

89-0186 3-21-89 Request for information.

REAL ESTATE TRANSFER TAX

89-0130 2-23-89 A transfer of a deed for real estate where the actual consideration is less than \$100 is not subject to the Real Estate Transfer Tax. See Ill. Rev. Stat. 1987, Ch. 120, Par. 1004(e).

RETURNS

89-0066 1-19-89 The Department will authorize the filing of computer-generated sales tax returns so long as they are facsimiles to returns printed by the Department.

89-0141 2-27-89 The Department will authorize a taxpayer who is filing on a sales basis to change to the receipts basis, so long as the taxpayer correctly utilizes the "wash-out" procedure.

ROLLING STOCK EXEMPTION

89-0031 1-09-89 Carriers who are not "for hire" cannot claim the rolling stock exemption.

89-0043 1-10-89 An exemption from Retailers' Occupation Tax is available for rolling stock that is sold to interstate carriers for hire for use as rolling stock moving in interstate commerce per 86 Ill. Adm. Code 130.340.

89-0149 3-02-89 The Rolling Stock Exemption can be claimed by a purchaser who has a temporary permit from the Interstate Commerce Commission pending a decision to grant permanent authority to operate as an interstate carrier for hire.

89-0215 3-28-89 Section 2 of the Retailers' Occupation Tax Act provides an exemption from sales tax on tangible personal property sold for use as rolling stock moving in interstate commerce.

DEPARTMENT OF REVENUE

89-0220 3-28-89 A transportation vehicle that is used on a regular and frequent basis as rolling stock moving in interstate commerce can qualify for an exemption from ROT per 86 Ill. Adm. Code 130.340.

SALE AT RETAIL

89-0012 1-05-89 Photoprocessing done by photographers is a sale at retail and photoprocessing includes priority or rush service, mounting, overtime charges, airbrushing, retouching, stripping and image blocking, but does not include numbering and collating slides since this service occurs after the photoprocessing procedure has been completed.

89-0018 1-05-89 A photographer who sells the products of photofinishing is making a sale at retail and incurs a sales tax liability on the photoprocessing component of the sale.

89-0038 1-09-89 The sale of a facsimile machine in Illinois to the end-user is a sale at retail subject to Retailers' Occupation Tax.

89-0047 1-11-89 Effective 9/1/88, sales of products of photofinishing are deemed to be sales at retail rather than sales of service.

89-0050 1-11-89 Where a sale of a product of photofinishing is involved, the Retailers' Occupation Tax is imposed only on the photoprocessing component of the photographer's bill to his client.

89-0053 1-12-89 A processing service involving no sale of a product of photofinishing is not a sale at retail.

89-0061 1-19-89 When a bank gives a depositor a premium in lieu of interest, the bank is making a sale at retail and incurs Retailers' Occupation Tax liability based on the amount of interest that the customer would have received had he received cash instead of merchandise.

89-0062 1-19-89 A sale of building materials to a construction contractor for incorporation into real estate is a sale at retail.

DEPARTMENT OF REVENUE

89-0075 1-26-89 Effective September 1, 1988, the sale of a product of photoprocessing is a sale at retail subject to Retailers' Occupation Tax.

89-0076 1-30-89 Persons who make sales at retail must be registered with the Department of Revenue.

89-0082 12-01-88 Effective 9/1/88, sales of the products of photoprocessing for use or consumption are subject to Retailers' Occupation Tax liability.

89-0086 2-02-89 When the sale is at retail, the tax rate in effect at the retailer's location will be the applicable rate to apply to the sale whenever the merchandise is delivered anywhere in the State of Illinois to a non-exempt end-user.

89-0091 2-06-89 Effective September 1, 1988, the sales of products of photoprocessing became sales at retail subject to ROT.

89-0121 2-22-89 The sale of books to end-users is a sale at retail subject to Retailers' Occupation Tax. See, 86 Ill. Adm. Code 130.2105.

89-0131 2-23-89 Effective September 1, 1988, the sale of a product of photoprocessing is a sale at retail subject to ROT.

89-0148 3-01-89 When a lessor of an automobile sells the automobile after leasing it, the transaction is a sale at retail subject to ROT. See 86 Ill. Adm. Code 130.111.

89-0153 3-02-89 The sale of a used boat by a private individual who is not a retailer of boats is not a sale at retail but instead is an isolated or occasional sale.

89-0167 3-07-89 When a rail carrier sells and serves meals to its passengers, it is making sales at retail that are subject to Retailers' Occupation Tax.

89-0202 3-23-89 A sale of photographs at retail by a not-for-profit corporation which is not exclusively charitable, religious, educational or governmental is a sale at retail.

89-0210 3-24-89 A person who sells strictly at the wholesale level, and who does not otherwise hold himself out as being a retailer, does not sell at retail and need not be registered with the Department.

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

89-0216 3-28-89 Effective September 1, 1988, a sale of a product of photoprocessing is a sale at retail subject to ROT.

89-0218 3-28-89 The sale of computer software by itself in Illinois is not a sale at retail because the Illinois Supreme Court has said that computer software is an intangible. See 86 Ill. Adm. Code Section 130.1935.

89-0225 3-30-89 The sale of paper and related products (paper plates, cups, napkins, toothpicks, plastic eating utensils, etc.) to restaurants for use on the premises in lieu of more durable serving equipment is a taxable sale at retail. See 86 Ill. Adm. Code 130.2070(c).

SALE FOR RESALE

89-0006 1-03-89 A percentage certificate of resale may be used by a restaurant to claim the sale for resale exemption when purchasing paper products, a percentage of which will be used in the carry out trade as opposed to being used on the premises in lieu of more durable types of serving equipment.

89-0029 1-06-89 A sale for resale must be documented by a valid certificate of resale in compliance with 86 Ill. Adm. Code 130.1410.

89-0068 1-19-89 Purchasers are not required to renew blanket certificates of resale at certain intervals. However it is sound advice to renew such certificates every three years.

89-0097 2-07-89 The sale of feed to a breeder of colts which are sold as yearlings can qualify as a sale for resale.

89-0105 2-08-89 Service Occupation Tax liability is not incurred by a serviceman who transfers tangible personal property to a person who will resell that property at retail.

89-0106 2-09-89 Sales for resale must be documented by certificates of resale containing all information required by 86 Ill. Adm. Code 130.1410.

89-0140 2-27-89 A certificate of resale must contain the information that is listed at 86 Ill. Adm. Code 130.1410.

89-0164 3-07-89 A certificate of resale must contain the information required by 86 Ill. Adm. Code 130.1410.

89-0190 3-22-89 Feed which is sold to a horse breeding operation for use as feed for brood mares and breeding stallions and their offspring is not subject to tax because it is viewed as a sale for resale.

89-0198 3-23-89 A certificate of resale which does not contain a valid Illinois registration or resale number creates a rebuttable presumption that the sale is not for resale.

89-0224 3-30-89 A certificate of resale must contain the information required by 86 Ill. Adm. Code 130.1410.

89-0227 3-30-89 Section 2c of the Retailers' Occupation Tax Act states that failure to present an active registration/resale number and a certification to the seller that a sale is for resale creates a presumption that the sale is taxable.

SALE OF SERVICE

89-0004 1-03-89 Service Occupation Tax applies to the cost price of repair parts transferred by a repairman as an incident to his repair job which is done pursuant to an extended warranty contract.

89-0009 1-04-89 A person who binds merchandise belonging to others incurs Service Occupation Tax liability based on his cost price of the binding materials to be transferred to his customers.

89-0015 1-05-89 An out-of-state serviceman maintaining a place of business in Illinois is required to collect the Service Use Tax when shipping merchandise to an Illinois customer which he is transferring as an incident to his sale of service.

89-0016 1-05-89 A health care professional transferring medical appliances and drugs as an incident to its sale of service incurs local, but not State, Service Occupation Tax liability on such transfers.

89-0022 1-05-89 Service Occupation Tax does not apply when a special order printer is obligated to ship or deliver special printed matter directly to an out-of-state location not to be returned to the State of Illinois.

89-0032 1-09-89 Servicemen maintaining a place of business in Illinois must collect SUT from their Illinois customers.

DEPARTMENT OF REVENUE

- 89-0036 1-09-89 The repair of an automobile exhaust system is a sale of service subject to Service Occupation Tax.
- 89-0044 1-11-89 An optometrist primarily engages in a service occupation that is subject to Service Occupation Tax.
- 89-0071 1-24-89 Servicemen incur Service Occupation Tax on cost price of items being transferred incident to service.
- 89-0072 1-25-89 When optometrists engage in their profession and render service, the transactions are sales of service subject to Service Occupation Tax.
- 89-0080 1-30-89 The testing of blood which is followed by the exchange of a printed report for consideration is a sale of service subject to Service Occupation Tax.
- 89-0085 2-01-89 A primary serviceman located in Illinois must self-assess local SOT when purchasing from an out-of-state unregistered subcontractor/supplier a medical appliance repair part which will be transferred by the primary serviceman to his customer. However, 1/4% County Supplementary and DuPage Water Commission SOT does not apply in this situation.
- 89-0087 2-02-89 Repair parts transferred pursuant to an extended warranty program are subject to Service Occupation Tax.
- 89-0105 2-08-89 Service Occupation Tax liability is not incurred by a serviceman who transfers tangible personal property to a person who will resell that property at retail.
- 89-0124 2-22-89 A nursing home provides a service and consequently incurs Service Occupation Tax liabilities on tangible personal property (e.g., food and medicine) transferred to the patients.
- 89-0142 2-28-89 The Service Occupation Tax applies on the cost price of the tangible personal property transferred incidental to providing the repair service.
- 89-0150 3-02-89 An out-of-state serviceman maintaining a place of business in this State must collect and remit Service Use Tax based on his cost price of the merchandise he transfers to an Illinois customer as an incident to his sale of service.

DEPARTMENT OF REVENUE

- 89-0166 3-07-89 When a veterinarian renders professional service he/she incurs Service Occupation Tax liability based upon the cost price of tangible personal property that is transferred as an incident of the service.
- 89-0180 3-15-89 An optometrist is a serviceman and tangible personal property that is transferred as an incident of optometric service, such as corrective prescription lenses, is subject to SOT liabilities.
- 89-0181 3-20-89 An automobile body repairman is a serviceman who incurs Service Occupation Tax liability on items which he transfers as an incident to his sale of service, but who incurs a Use Tax liability on consumable supplies such as painting equipment and masking tape, safety apparel, etc.
- 89-0199 3-23-89 A person who repairs tangible personal property that belongs to another is a serviceman and incurs Service Occupation Tax liability based upon the cost price of repair parts that are transferred in performing the service. See 86 Ill. Adm. Code 130.2015.
- 89-0201 3-23-89 A company which heirlooms wedding dresses (makes them suitable for storage) incurs Service Occupation Tax liability based on its cost price of any chemicals or other materials transferred by it as an incident to its sale of heirloom services.
- SELLERS OF NEWSPAPERS, MAGAZINES, ETC.
- 89-0152 3-02-89 Gross receipts from sales of magazines and newspapers are exempt from Retailers' Occupation Tax under the newsprint and ink exemption.
- STATUTE OF LIMITATIONS
- 89-0037 1-09-89 The statute of limitations for filing claims for credit is from three to three and one-half years.
- TELECOMMUNICATIONS EXCISE TAX
- 89-0003 1-03-89 Telecommunications Tax can apply to an automated telephone answering service which conveys messages to its subscribers through putting the messages into a computer for subsequent retrieval by the customers.

DEPARTMENT OF REVENUE

89-0128 2-23-89 The Telecommunications Excise Tax is imposed upon the act or privilege of originating or receiving intrastate or interstate telecommunications by a person in this State at the rate of 5% of the gross charges when purchased from a retailer and billed to an Illinois Service address.

89-0226 3-30-89 Telefaxing charges are subject to Illinois Telecommunications Excise Tax.

TEMPORARY STORAGE

89-0039 1-09-89 The temporary storage exemption can apply when tangible personal property is acquired outside this State and which, subsequent to being brought into this State and stored here temporarily, is used solely outside this State. See 86 Ill. Adm. Code 150.310.

USE TAX

89-0010 1-04-89 The Use Tax base is the user's cost price.

89-0014 1-05-89 The Use Tax does not apply to tangible personal property brought into Illinois by a business that moves into Illinois from another state and which has used that tangible personal property outside Illinois in the operation of its business for at least three months before moving the property to Illinois for use in Illinois.

89-0019 1-05-89 When a vehicle is acquired out-of-State by virtue of winning the vehicle through the purchase of a raffle ticket, the Use Tax base will be the value of the winning raffle ticket.

89-0020 1-05-89 Out-of-state retailers required to register with the Illinois Department of Revenue or who voluntarily register with the Illinois Department of Revenue are required to collect a 5% Use Tax when selling merchandise to Illinois end-users.

89-0021 1-05-89 An out-of-state retailer maintaining a place of business in Illinois is required to collect Illinois Use Tax.

89-0025 1-05-89 Natural gas purchased from out-of-state wellheads is not subject to Use Tax.

DEPARTMENT OF REVENUE

89-0030 1-09-89 Lessors of tangible personal property incur a Use Tax liability when they purchase items for lease or rental purposes. The only exception is the lessor of automobiles to be leased under lease terms of one year or less.

89-0032 1-09-89 Servicemen maintaining a place of business in Illinois must collect SUT from their Illinois service customers.

89-0039 1-09-89 The temporary storage exemption can apply when tangible personal property is acquired outside this State and which, subsequent to being brought into this State and stored here temporarily, is used solely outside this State. See 86 Ill. Adm. Code 150.310.

89-0049 1-11-89 An out-of-state retailer maintaining a place of business in Illinois must register to collect Illinois Use Tax.

89-0051 1-11-89 A company that purchases natural gas from an out-of-state location incurs neither the Gas Revenue Tax nor the Use Tax. However, if such gas is transported by a utility company in this State, it is subject to the Gas Revenue Tax on the transportation of such gas in this State to the company's facility.

89-0055 1-12-89 Out-of-state sellers who fall under the definition of a "retailer maintaining a place of business in this State" must register to collect Illinois Use Tax from Illinois customers. See 86 Ill. Adm. Code 150.201(i) and 150.801(c).

89-0059 1-13-89 An out-of-state seller that falls within the definition of a "retailer maintaining a place of business in this State" is required to register and collect and remit Illinois Use Tax. See 86 Ill. Adm. Code 150.201(i) and 150.801(c).

89-0070 1-23-89 This letter discusses whether an out-of-state seller incurs Illinois Retailers' Occupation Tax liability or the obligation to collect and remit Use Tax, depending upon the activities of its sales agents in Illinois.

89-0088 2-02-89 An out-of-state leasing company incurs a Use Tax liability on its cost price of tangible personal property which it rents to Illinois lessees.

DEPARTMENT OF REVENUE

- 89-0089 2-02-89 An out-of-state lessor of tangible personal property incurs a Use Tax liability based on its cost price of the property purchased for rental purposes.
- 89-0099 2-07-89 An out-of-state seller who falls under the definition of a "retailer maintaining a place of business in this State", must register to collect Illinois Use Tax from Illinois customers. See, 86 Ill. Adm. Code 150.201(i) and 150.801(c).
- 89-0101 2-08-89 Under Ch. 120, Par. 439.7, Ill. Rev. Stat., it is a Class A misdemeanor for a retailer to advertise that he will absorb his customer's Use Tax liability.
- 89-0102 2-08-89 A photographer selling the products of photofinishing should pay Use Tax to his supplier of film if he will not be reselling or retransferring the negatives to his customer.
- 89-0104 2-08-89 A retailer purchasing merchandise tax-free under a certificate of resale and who then puts the merchandise to a taxable use must remit (self-assess) Use Tax to the Department of Revenue on or before the last day of the month following the month in which the merchandise is put to a taxable use.
- 89-0107 2-09-89 An out-of-state seller that falls within the definition of a "retailer maintaining a place of business in this State" is required to register and collect and remit Use Tax on sales to Illinois customers. See, 86 Ill. Adm. Code 150.201(i) and 150.801(c).
- 89-0116 2-17-89 An out-of-state seller that falls within the definition of a "retailer maintaining a place of business in this State" is required to register and collect and remit Use Tax on sales to Illinois customers. See, 86 Ill. Adm. Code 150.201(i) and 150.801(c).
- 89-0123 2-22-89 The Use Tax does not apply to the use in this State of tangible personal property which has been acquired outside this State by a nonresident who then brings the property into this State for use here, and who has used the property outside this State for more than 90 days. See, 86 Ill. Adm. Code 150.315.
- 89-0136 2-24-89 An out-of-state retailer maintaining a place of business in Illinois is required to register as an Illinois Use Tax collector.

DEPARTMENT OF REVENUE

- 89-0150 3-02-89 An out-of-state serviceman maintaining a place of business in this State must collect and remit Service Use Tax based on his cost price of the merchandise he transfers to an Illinois customer as an incident to his sale of service.
- 89-0163 3-07-89 The purchase of railroad hopper car seals by a seller of a product that will be shipped in the railroad cars is subject to Illinois Use Tax.
- 89-0168 3-07-89 The purchase of flight simulators by a company that is not in the business of selling flight simulators is considered an occasional or isolated sale and is not subject to tax.
- 89-0169 3-09-89 An out-of-state seller that falls within the definition of a "retailer maintaining a place of business in this State" must register and collect and remit Use Tax from Illinois customers. See 86 Ill. Adm. Code 150.201(i) and 150.801(c).
- 89-0178 3-13-89 An out-of-state seller that falls within the definition of a "retailer maintaining a place of business in this State" must register to collect Illinois Use Tax from Illinois customers and remit that tax to the Department. See 86 Ill. Adm. Code 150.201(i) and 150.801(c).
- 89-0181 3-20-89 An automobile body repairman is a serviceman who incurs Service Occupation Tax liability on items which he transfers as an incident to his sale of service, but who incurs a Use Tax liability on consumable supplies such as painting equipment and masking tape, safety apparel, etc.
- 89-0183 3-20-89 A nursing home which purchases items which it will use and not retransfer to its patients incurs a Use Tax liability notwithstanding the fact that some of the patients' bills are paid for by a governmental body.
- 89-0185 3-20-89 Ch. 120, part. 439.7, Ill. Rev. Stat. makes it a Class A misdemeanor for a retailer to advertise to the public that he will pay the sales tax.
- 89-0208 3-24-89 Paint shops and body shops incur Use Tax liability on the sandpaper, masking tape, buffing and polishing compounds and similar items which they use as part of their paint and body repair businesses, such items not being resold or retransferred to their customers.

89-0211 3-24-89 Interim use available on aircraft engines leased to a subsidiary but available for sale.

VEHICLE USE TAX

89-0024 1-05-89 When vehicles are transferred pursuant to a living trust in which the owner of the vehicles has those vehicles transferred to a living trust in which he is the trustee and primary beneficiary, the Used Car Tax applies in full. The \$15.00 transfer fee for vehicles transferred as an estate gift to a beneficiary is not applicable to the living trust situation.

89-0060 1-18-89 When vehicles are transferred from a corporation to an individual for the redemption of stock the transfer is considered a purchase by the individual and is subject to Vehicle Use Tax.

89-0173 3-09-89 When a person acquires a motor vehicle from a party other than a licensed vehicle dealer, the payment of the Vehicle Use Tax to the Department of Revenue is a condition precedent to securing the title to the vehicle from the Secretary of State. See Ill. Rev. Stat. (1987), ch. 95 1/2, par. 3-1002.

89-0175 3-09-89 Exemption for business reorganization in which the beneficial ownership of a vehicle is not changed is only available under the Vehicle Use Tax when the vehicle has already been subjected to either Illinois Retailers' Occupation or Use Tax.

89-0176 3-09-89 When a motor vehicle has been acquired from a party other than a licensed dealer, payment of the Vehicle Use Tax is a condition precedent to securing title to the vehicle from the Secretary of State.

89-0192 3-22-89 Where a corporation, pursuant to a partial dissolution, transfers a vehicle, the transfer or sale is subject to Used Car Tax but could be subject to the reduced 15% tax if there is no change in beneficial ownership.

89-0200 3-23-89 A person claiming the business reorganization \$15.00 reduced Used Car Tax must submit documentation which establishes that there has been no change in beneficial ownership in the vehicle.

VENDORS

89-0042 1-10-89 Vendors of meals incur ROT when selling food to members of an exempt organization because the sales are to individuals, not sales to the exempt organization.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

JOINT COMMITTEE ON ADMINISTRATIVE RULES
STRATTON OFFICE BUILDING
ROOM A-1

SPRINGFIELD, ILLINOIS

10:00 A.M.

JUNE 6, 1989

NOTICE: It is the policy of the Joint Committee to allow only representatives of state agencies to testify orally on any rule under consideration at Joint Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee at the following address:

Joint Committee on Administrative Rules

509 South Sixth Street

Room 500

Springfield, Illinois 62701

AGENDA

I. Approval of May 9, 1989 Minutes

II. Review of Proposed Agency Rulemaking

Department on Aging

1. Community Care Program; 89 Ill. Adm. Code 240
-First Notice Published: 12 Ill. Reg. 10821 - 7-8-88
-Expiration of Second Notice Period: 6-9-89

Department of Agriculture

2. Farmland Preservation Act; 8 Ill. Adm. Code 700
-First Notice Published: 13 Ill. Reg. 2598 - 3-3-89
-Expiration of Second Notice Period: 6-8-89

3. Illinois Seed Law; 8 Ill. Adm. Code 230

- First Notice Published: 13 Ill. Reg. 3513 - 3-24-89
- Expiration of Second Notice Period: 6-26-89

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Department of Central Management Services

4. Merit and Fitness; 80 Ill. Adm. Code 302
-First Notice Published: 12 Ill. Reg. 10569 - 6-24-88
-Expiration of Second Notice Period: 6-9-89

5. Pay Plan; 80 Ill. Adm. Code 310
-First Notice Published: 13 Ill. Reg. 2892 - 3-10-89
-Expiration of Second Notice Period: 6-15-89

6. Merit and Fitness; 80 Ill. Adm. Code 302
-First Notice Published: 13 Ill. Reg. 1639 - 2-10-89
-Expiration of Second Notice Period: 6-19-89

Department of Commerce and Community Affairs

7. State Administration of the Federal Low-Income Home Energy Assistance Block Grant Program; 47 Ill. Adm. Code 100
-First Notice Published: 12 Ill. Reg. 9287 - 6-3-88
-Expiration of Second Notice Period: 6-5-89

8. State Administration of the Federal Low-Income Home Energy Assistance Block Grant Program; 47 Ill. Adm. Code 100
-First Notice Published: 13 Ill. Reg. 1930 - 2-17-89
-Expiration of Second Notice Period: 6-23-89

Illinois Commerce Commission

9. Energy Assistance; 83 Ill. Adm. Code 281
-First Notice Published: 13 Ill. Reg. 1647 - 2-10-89
-Expiration of Second Notice Period: 6-12-89

10. Fees and Taxes; 92 Ill. Adm. Code 1205
-First Notice Published: 13 Ill. Reg. 1665 - 2-10-89
-Expiration of Second Notice Period: 6-23-89

11. Investigation and Suspension of Rates; 92 Ill. Adm. Code 1206
-First Notice Published: 13 Ill. Reg. 1671 - 2-10-89
-Expiration of Second Notice Period: 6-23-89

12. Publication, Posting and Filing of Tariffs, Contracts, Schedules and Related Documents; 92 Ill. Adm. Code 1225
-First Notice Published: 13 Ill. Reg. 1676 - 2-10-89
-Expiration of Second Notice Period: 6-23-89

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

13. Uniform System of Accounts for Gas Utilities; 83 Ill. Adm. Code 505
 -First Notice Published: 13 Ill. Reg. 1686 - 2-10-89
 -Expiration of Second Notice Period: 6-23-89

Department of Conservation

14. Dove Hunting; 17 Ill. Adm. Code 730
 -First Notice Published: 13 Ill. Reg. 2609 - 3-3-89
 -Expiration of Second Notice Period: 6-5-89
15. Falconry and the Captive Propagation of Raptors; 17 Ill. Adm. Code 1590
 -First Notice Published: 13 Ill. Reg. 2622 - 3-3-89
 -Expiration of Second Notice Period: 6-5-89

16. Forest Fire Protection Districts Act; 17 Ill. Adm. Code 1560
 -First Notice Published: 13 Ill. Reg. 2626 - 3-3-89
 -Expiration of Second Notice Period: 6-5-89

17. Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver and Woodchuck (Groundhog) Trapping; 17 Ill. Adm. Code 570
 -First Notice Published: 13 Ill. Reg. 2632 - 3-3-89
 -Expiration of Second Notice Period: 6-5-89

18. Squirrel Hunting; 17 Ill. Adm. Code 690
 -First Notice Published: 13 Ill. Reg. 2641 - 3-3-89
 -Expiration of Second Notice Period: 6-5-89

19. Aquaculture, Transportation, Stocking, Importation and/or Possession of Aquatic Life; 17 Ill. Adm. Code 870
 -First Notice Published: 13 Ill. Reg. 3213 - 3-17-89
 -Expiration of Second Notice Period: 6-19-89

20. Duck, Goose and Coot Hunting; 17 Ill. Adm. Code 590
 -First Notice Published: 13 Ill. Reg. 3221 - 3-17-89
 -Expiration of Second Notice Period: 6-19-89

21. Field Trials on Non-Department Owned or Managed Lands; 17 Ill. Adm. Code 930
 -First Notice Published: 13 Ill. Reg. 3262 - 3-17-89
 -Expiration of Second Notice Period: 6-19-89

JOINT COMMITTEE ON ADMINISTRATIVE RULES

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22. Fish Stocking, Importation, and/or Possession of Aquatic Life; Repeal of; 17 Ill. Adm. Code 870
 -First Notice Published: 13 Ill. Reg. 3264 - 3-17-89
 -Expiration of Second Notice Period: 6-19-89

23. General Hunting and Trapping on Department-Owned or Managed Sites; 17 Ill. Adm. Code 510
 -First Notice Published: 13 Ill. Reg. 3268 - 3-17-89
 -Expiration of Second Notice Period: 6-19-89

24. Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting; 17 Ill. Adm. Code 550
 -First Notice Published: 13 Ill. Reg. 3273 - 3-17-89
 -Expiration of Second Notice Period: 6-19-89

State Board of Education

25. Educational Service Centers; 23 Ill. Adm. Code 500
 -First Notice Published: 13 Ill. Reg. 1730 - 2-10-89
 -Expiration of Second Notice Period: 6-23-89

26. Sex Equity; 23 Ill. Adm. Code 200
 -First Notice Published: 12 Ill. Reg. 19279 - 11-18-88
 -Expiration of Second Notice Period: 6-23-89

Department of Employment Security

27. Alien Status; 56 Ill. Adm. Code 2905
 -First Notice Published: 13 Ill. Reg. 2229 - 2-24-89
 -Expiration of Second Notice Period: 6-1-89

28. Determination of Unemployment Contributions; 56 Ill. Adm. Code 2770
 -First Notice Published: 13 Ill. Reg. 743 - 1-20-89
 -Expiration of Second Notice Period: 6-5-89

Environmental Protection Agency

29. General Conditions of Grants for the Financing and Construction of Public Water Supply Facilities; 35 Ill. Adm. Code 661
 -First Notice Published: 13 Ill. Reg. 1738 - 2-10-89
 -Expiration of Second Notice Period: 6-8-89

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Office of the State Fire Marshal

30. Fire Prevention and Safety; 41 Ill. Adm. Code 100
 -First Notice Published: 13 Ill. Reg. 1323 - 2-3-89
 -Expiration of Second Notice Period: 6-26-89

Department of Insurance

31. Fees for Various Certificates Under Section 408; Repeal of; 50 Ill. Adm. Code 2502
 -First Notice Published: 13 Ill. Reg. 2234 - 2-24-89
 -Expiration of Second Notice Period: 6-1-89

Department of Professional Regulation

32. Medical Disciplinary Board, Repeal of; 68 Ill. Adm. Code 1290
 -First Notice Published: 12 Ill. Reg. 15854 - 10-7-88
 -Expiration of Second Notice Period: 6-5-89

33. Medical Practice Act of 1987; 68 Ill. Adm. Code 1285
 -First Notice Published: 12 Ill. Reg. 15880 - 10-7-88
 -Expiration of Second Notice Period: 6-5-89

34. Medical Practice Act of 1987; 68 Ill. Adm. Code 1285
 -First Notice Published: 13 Ill. Reg. 274 - 1-13-89
 -Expiration of Second Notice Period: 7-14-89

Department of Public Aid

35. Application Process; 89 Ill. Adm. Code 110
 -First Notice Published: 13 Ill. Reg. 2931 - 3-10-89
 -Expiration of Second Notice Period: 6-9-89

36. Aid to the Aged, Blind or Disabled; 89 Ill. Adm. Code 113
 -First Notice Published: 12 Ill. Reg. 15475 - 9-30-88
 -Expiration of Second Notice Period: 7-6-89

37. Medical Assistance Programs; 89 Ill. Adm. Code 120
 -First Notice Published: 13 Ill. Reg. 3281 - 3-17-89
 -Expiration of Second Notice Period: 6-19-89

38. Medical Payment; 89 Ill. Adm. Code 140
 -First Notice Published: 13 Ill. Reg. 1420 - 2-3-89
 -Expiration of Second Notice Period: 6-26-89

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Department of Public Health

39. The Illinois Formulary for the Drug Product Selection Program; 77 Ill. Adm. Code 790
 -First Notice Published: 13 Ill. Reg. 3015 - 3-10-89
 -Expiration of Second Notice Period: 6-16-89

40. Clinical Laboratories and Blood Banks; 77 Ill. Adm. Code 450
 -First Notice Published: 13 Ill. Reg. 2249 - 2-24-89
 -Expiration of Second Notice Period: 6-16-89

Department of Rehabilitation Services

41. Appeals and Hearings; 89 Ill. Adm. Code 510
 -First Notice Published: 13 Ill. Reg. 3036 - 3-10-89
 -Expiration of Second Notice Period: 6-26-89

Department of Revenue

42. Income Tax Regulations; 86 Ill. Adm. Code 100
 -First Notice Published: 13 Ill. Reg. 2383 - 2-24-89
 -Expiration of Second Notice Period: 6-12-89

43. Retailers' Occupation Tax Regulations; 86 Ill. Adm. Code 130
 -First Notice Published: 12 Ill. Reg. 11084 - 7-1-88
 -Expiration of Second Notice Period: 6-12-89

Secretary of State

44. Issuance of Licenses; 92 Ill. Adm. Code 1030
 -First Notice Published: 13 Ill. Reg. 2395 - 2-24-89
 -Expiration of Second Notice Period: 6-5-89

45. Issuance of Licenses; 92 Ill. Adm. Code 1030
 -First Notice Published: 13 Ill. Reg. 2753 - 3-3-89
 -Expiration of Second Notice Period: 6-5-89

46. General Rules, Definitions; 92 Ill. Adm. Code 1000
 -First Notice Published: 13 Ill. Reg. 3316 - 3-17-89
 -Expiration of Second Notice Period: 6-26-89

Department of Transportation

47. Vending Machines in Rest Areas; 92 Ill. Adm. Code 534
 -First Notice Published: 13 Ill. Reg. 2760 - 3-3-89
 -Expiration of Second Notice Period: 6-15-89

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III. Certification of No Objection to Proposed Rulemaking

IV. Review of Emergency Rulemaking and Peremptory Rulemaking

Department of Professional Regulation

48. Clinical Social Work and Social Work Practice Act; 68 Ill. Adm. Code 1470 (Emergency)
-Notice Published: 13 Ill. Reg. 5771 - 4-21-89
49. Illinois Structural Engineering Act, The; 68 Ill. Adm. Code 1480 (Emergency)
-Notice Published: 13 Ill. Reg. 5781 - 4-21-89
50. The Barber, Cosmetology and Esthetics Act of 1985; 68 Ill. Adm. Code 1175 (Emergency)
-Notice Published: 13 Ill. Reg. 6810 - 4-28-89

Department of Revenue

51. Tax Increment Allocation Financing; 86 Ill. Adm. Code 525 (Emergency)
-Notice Published: 13 Ill. Reg. 5788 - 4-21-89

Department of Transportation

52. Relocation Assistance and Payments Program; 92 Ill. Adm. Code 518 (Peremptory)
-Notice Published: 13 Ill. Reg. 7057 - 5-5-89

V. Incorporation by Reference

VI. Agency Responses to Joint Committee Statements of Objection

Department of Children and Family Services

53. Delivery of Youth Services Funded by the Department of Children and Family Services; 89 Ill. Adm. Code 310
-First Published: 12 Ill. Reg. 11935 - 7-22-88
-Objection Date: 3-1-89
-Response: Refusal

State Board of Education

54. Vocational Education; 23 Ill. Adm. Code 254
-First Published: 12 Ill. Reg. 8777 - 5-27-88
-Objection Date: 3-1-89
-Response: Agreement

Department of Lottery

55. Lottery (General); 11 Ill. Adm. Code 1770
-First Published: 12 Ill. Reg. 10298 - 6-17-88
-Objection Date: 3-1-89
-Response: Refusal

Department of Public Aid

56. Reimbursement for Nursing Costs for Geriatric Facilities; 89 Ill. Adm. Code 147
-First Published: 12 Ill. Reg. 17201 - 10-28-88
-Objection Date: 4-5-89
-Response: Refusal

Department of Professional Regulation

57. Optometry Act; 68 Ill. Adm. Code 1320
-First Published: 12 Ill. Reg. 8606 - 5-20-88
-Objection Date: 4-5-89
-Response: Agreement

Illinois Racing Board

58. Pick Six Rules; 11 Ill. Adm. Code 417
-First Published: 13 Ill. Reg. 1899 - 2-10-89
-Objection Date: 4-5-89
-Response: Refusal
59. County Fair Regulations; 11 Ill. Adm. Code 437
-First Published: 13 Ill. Reg. 1099 - 1-27-89
-Objection Date: 4-5-89
-Response: Refusal

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 15, 1989 through May 19, 1989 and have been scheduled for review by the Committee at its July 27, 1989 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its July meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
6/29/89	Illinois Educational Labor Relations Board, University of Illinois Bargaining Units (80 Ill. Adm. Code 1135)	9/16/88 12 Ill. Reg. 14504	July 27, 1989
6/29/89	Department of Professional Regulation, Illinois Speech-Language Pathology and Audiology Practice Act; The (68 Ill. Adm. Code 1465)	2/3/89 13 Ill. Reg. 1388	July 27, 1989
7/3/89	Department of Central Management Services, State Vehicles and Garage (44 Ill. Adm. Code 5040)	3/31/89 13 Ill. Reg. 4071	July 27, 1989
7/3/89	Department of Rehabilitation Services, Administrative Reviews and Hearings, Repeal of (89 Ill. Adm. Code 510)	3/10/89 13 Ill. Reg. 3020	July 27, 1989
7/3/89	Department of Rehabilitation Services, Total Life Planning Program (89 Ill. Adm. Code 895)	3/17/89 13 Ill. Reg. 3310	July 27, 1989
7/3/89	Department of Professional Regulation, Funeral Directors and Embalmers Act (68 Ill. Adm. Code 1250)	3/24/89 13 Ill. Reg. 3535	July 27, 1989
7/3/89	Department of Public Aid, Food Stamps (89 Ill. Adm. Code 121)	3/24/89 13 Ill. Reg. 3541	July 27, 1989

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
7/3/89	Department of Public Aid, Medical Payment (89 Ill. Adm. Code 140.110)	7/15/88 12 Ill. Reg. 11701	July 27, 1989
7/3/89	Department of Corrections, Safety, Maintenance and Sanitation (20 Ill. Adm. Code 502)	3/24/89 13 Ill. Reg. 3528	July 27, 1989
7/3/89	Office of the State Fire Marshal, Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill. Adm. Code 170)	2/10/89 13 Ill. Reg. 1756	July 27, 1989

PROCLAMATION

89-100

Jesse White Day (Revised)

WHEREAS, as an athlete, teacher, communicator, and State Representative, Jesse C. White has been a role model for children in Chicago's public housing projects for 25 years; and

WHEREAS, born, raised and presently residing in Illinois, he played baseball in the Chicago Cubs farm system for seven years and holds Alabama State College's 4-year basketball scoring record; and

WHEREAS, Jesse White considers his social accomplishments far superior to his athletic ones, especially his organization of the Jesse White Tumblers in 1959; and

WHEREAS, this group, originally made up of children from the Cabrini-Green housing projects of Chicago and now consisting of youths from the entire Chicago area, is nationally acclaimed, performing all over the nation and even in commercials and a major motion picture; and

WHEREAS, Jesse White's dedication to these kids as not only a coach but as a teacher and friend gives them a feeling of importance and the belief that they will someday provide a better life for themselves and their families;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim June 2, 1989, as JESSE WHITE DAY in Illinois, acknowledging the efforts of this fine teacher, trainer, and humanitarian.

Issued May 19, 1989. Filed May 22, 1989.

PROCLAMATION

89-234

Firefighter Memorial Day

WHEREAS, the profession of firefighting is one of the most hazardous in America; and

WHEREAS, the firefighters of Illinois serve their communities with distinction and dedication; and

WHEREAS, firefighters contribute countless hours in a community effort to reduce fires and the fire losses; and

WHEREAS, an average of more than four firefighters give their lives in public service each year;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 21, 1989, as FIREFIGHTER MEMORIAL DAY in Illinois, honoring both living and dead firefighters for their gallant sacrifices in the preservation of human life. I urge all fire stations to fly their state flags at half staff on this date.

Issued May 12, 1989. Filed May 22, 1989.

PROCLAMATION
89-235
Hull House Week

WHEREAS, Hull House Association was founded by Jane Addams, an Illinois native from Cedarville who became the first American woman to receive the Nobel Peace Prize in 1931; and

WHEREAS, the doors of Hull House, Chicago's first social settlement, were opened September 18, 1889, to help immigrants adjust to industrial life; and

WHEREAS, under Addams' leadership, Hull House initiated the first local and federal child labor law, the first juvenile court in the nation, the first tenement code, and the first children's theatre in the nation; and

WHEREAS, Hull House helped to create the first domestic violence court in the nation and lobbied for legislation that resulted in the enactment of the Illinois Domestic Violence Act in 1984; and

WHEREAS, Hull House continues to make history through its six neighborhood centers and their 21 outposts which provide more than 100 innovative programs for over 30,000 people each year; and

WHEREAS, the original Hull House is preserved as a museum and national landmark by the University of Illinois at Chicago, and Hull House Association remains as a monument to one of the state's most famous citizens whose influence reached beyond the limits of Chicago and the boundaries of Illinois;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 18-23, 1989, as HULL HOUSE WEEK in Illinois in recognition of the beginning of the association's second century of providing compassionate service and creative solutions.

Issued May 12, 1989. Filed May 22, 1989.

PROCLAMATION
89-236
Barrier Awareness Week

WHEREAS, many people do not stop to think about the challenges persons with physical disabilities face every day; and

WHEREAS, buildings without elevators, communication systems, and even social attitudes about people with physical disabilities can effectively, albeit unintentionally, limit their participation in many areas of society; and

WHEREAS, Barrier Awareness Day has been set aside by the President of the United States to promote and enhance positive, realistic images of disabled children and adults; and

WHEREAS, barriers may affect the economic health of our state and the nation by preventing the achievement of employment or the highest level of independence for these citizens;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 1-7, 1989, as BARRIER AWARENESS WEEK in Illinois and urge all Illinoisans to experience firsthand the physical and social challenges persons with physical disabilities face on a daily basis. By spending the day with a person with physical disabilities, perhaps even taking on the physical challenges he/she faces, people might yet acquire a better understanding of how something as ordinary as a curb can be a barrier to people with special needs.

Issued May 15, 1989. Filed May 22, 1989.

PROCLAMATION
89-237

Catholic Heritage Week

WHEREAS, the Catholic people and other citizens in the community of Virden, Illinois, will assemble Sunday, July 9, 1989, to observe the combined celebration of the 75th anniversary of the cornerstone laying of Sacred Heart Church and the formal dedication of the newly constructed Parish Center; and

WHEREAS, the Sacred Heart parishioners will also take advantage of the occasion to commemorate the 35th anniversary of the ordination to the Priesthood of their current pastor, Rev. August J. Sperl, a native of Springfield, Illinois; and

WHEREAS, the present Sacred Heart congregation represents the combined forces of St. Catherine and Sacred Heart parishes; two Virden parishes which were merged in 1978. St. Catherine had been formed in 1866 following a history of Catholic settlements in the area dating back to 1833; and

WHEREAS, early ancestors of the urban and rural populace of the area were originally of English, German, Irish, and later Slovak and Italian extraction. They came to Illinois to establish farms, mine coal, and ply the trades and professions that enabled the local communities to grow, prosper, and enjoy the privileges of freedom of religion; and

WHEREAS, the Catholic citizens of the Virden/Thayer area continue to contribute to the spiritual development and the social betterment of their respective communities, as did their ancestors before them for more than 125 years;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim July 9-16 1989, as CATHOLIC HERITAGE WEEK in Illinois and congratulate the parishioners of Sacred Heart Parish on the occasion of its 75th jubilee. I also extend my personal best wishes to Rev. A.J. Sperl, who for 35 years has faithfully served the Catholic people of the State of Illinois.

Issued May 16, 1989. Filed May 22, 1989.

PROCLAMATION
89-238
Fishing Week

WHEREAS, sport fishing provides healthful recreation for more than 60 million Americans of all ages; and

WHEREAS, fishing promotes respect for our nation's natural waters, wilderness and wildlife; and

WHEREAS, fishing is an established recreational tradition rooted deeply in the history of our country and the hearts of our citizenry; and

WHEREAS, sport fishing, through the payment of millions of dollars annually for licenses, taxes and fees, has provided the funding for federal and state programs that contribute significantly to the preservation and protection of our natural environment;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim June 5-11, 1989, as FISHING WEEK in Illinois, and urge all citizens to appropriately recognize the many significant contributions of sport fishing to our well-being.

Issued May 16, 1989. Filed May 22, 1989.

PROCLAMATION

89-239

Illinois Rivers Appreciation Month

WHEREAS, Illinois' development as a great state owes much to our rivers and those who explored them such as Marquette, Joliet and LaSalle, and the builders of the forts and later cities along the banks of these rivers such as Massac on the Ohio, Starved Rock and Creve Coeur on the Illinois, Kaskaskia on the Mississippi, and Dearborn in Chicago; and

WHEREAS, Illinois communities, which originally flourished on the banks of the avenues of commerce our rivers provide, are today revitalizing their waterfronts to provide both economic and recreation opportunities while preserving important aspects of their resources and history; and

WHEREAS, Illinois citizens are becoming increasingly aware of the importance of our rivers as habitat for fish and other aquatic organisms, for recreation, as scenic resources, and for clean drinking water, and of the importance of the riparian corridor for soil conservation and wildlife habitat; and

WHEREAS, all citizens should be involved in efforts to clean our streams, practice soil conservation, protect scenic areas, and advocate recycling; and

WHEREAS, during June the Illinois Environmental Protection Agency and the Department of Conservation will work together to promote and coordinate such efforts;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim June 1989 as ILLINOIS RIVERS APPRECIATION MONTH, to increase public awareness of the importance of our rivers as resources vital to our state.

Issued May 16, 1989. Filed May 22, 1989.

PROCLAMATION

89-240

Transportation Week

WHEREAS, the growth and strength of the State of Illinois, like that of the United States of America, is due in a large measure to our transportation systems; and

WHEREAS, our means of transport have progressed from the simple canoes of traders and pioneer wagons to river barges and canal-boats. Then, railways opened up this vast new land to large-scale colonization and industry. The "Tall State" was crisscrossed with rail lines and highways, and it became the transportation center of America; and

WHEREAS, Illinois also has the busiest and safest airport in the world, plus an inland waterway with harbors from which cargoes are shipped internationally. Our important agri-business is dependent upon fast, reliable transfer of farm and factory products; and

WHEREAS, special events will be held throughout the state during the national observance of Transportation Week;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 15-20, 1989, as TRANSPORTATION WEEK in Illinois, and I express the appreciation of all Illinoisans to the people responsible for the efficient and dependable operation of our transport systems.

Issued May 16, 1989. Filed May 22, 1989.

PROCLAMATION
89-241

Water Quality Week

WHEREAS, Illinois' lakes, ponds, rivers and streams are vital for drinking water, recreation, tourism, industrial and municipal water supplies, flood control and property value enhancement; and

WHEREAS, the state's water quality must be protected to ensure the health of Illinois citizens and provide economic benefits; and

WHEREAS, water quality protection requires the cooperation of individuals, water pollution control associations, operators of Illinois' 1,952 public water supplies and the more than 2,400 wastewater treatment facilities, and local, state and federal governments;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim June 26-July 1, 1989, as WATER QUALITY WEEK in Illinois, in recognition of the value of our water resources, the need to protect and improve Illinois' waters, and the excellent cooperation developed through the efforts of Illinois' water pollution control associations, regulatory agencies, industries and concerned citizens.

Issued May 16, 1989. Filed May 22, 1989.

PROCLAMATION
89-242

A. H. Entertainers, Inc./50th Anniversary

WHEREAS, A. H. Entertainers, Inc. was founded in May of 1939 by Anthony C. Hesch; and

WHEREAS, the company began its business activities in the distribution of juke boxes and amusement machines; and

WHEREAS, through the rewards of hard work, A. H. Entertainers were able to expand to offer vending service in 1959; and

WHEREAS, the Hesch family is presently in its 3rd generation of operating the company, which now employs about 135 workers;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, recognize May 1989 as the 50TH ANNIVERSARY OF A. H. ENTERTAINERS, INC. and wish the company continued success.

Issued May 18, 1989. Filed May 22, 1989.

PROCLAMATION
89-243

Congratulates Dr. Morton Goldberg

WHEREAS, for 19 years, Dr. Morton Goldberg has served as professor and head of the Department of Ophthalmology at the University of Illinois at Chicago and contributed to its rapid growth and development; and

WHEREAS, he graduated from Harvard Medical School and completed his ophthalmology residency at the Wilmer Eye Institute, Johns Hopkins University; and

WHEREAS, he served as chief resident at the Wilmer Eye Institute and at Yale University; and

WHEREAS, Dr. Goldberg is an internationally renowned authority on retinal vascular diseases, particularly diabetes and sickle cell eye disease; and

WHEREAS, Dr. Goldberg will be leaving the University of Illinois at Chicago on June 30, 1989, to become the Director for the Wilmer Institute at Johns Hopkins;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, congratulate DR. MORTON GOLDBERG on his achievements and wish him success in his new position.

Issued May 18, 1989. Filed May 22, 1989.

PROCLAMATION
89-244

Cornelia de Lange Awareness Day

WHEREAS, Cornelia de Lange Syndrome (CdLS) is a rare birth defect of unknown origin, and at this time, the cause is not clearly known; and

WHEREAS, babies born with CdLS are usually of low birth weight and develop at a slow rate, both mentally and physically; and

WHEREAS, the Cornelia de Lange Foundation is a non-profit, international organization founded by parents of children with CdLS; and

WHEREAS, headquartered outside of Hartford, Connecticut, the foundation seeks to ensure early diagnosis and to help families, friends, and professionals make appropriate plans for the present and future life of the affected child. It provides for parent/family support, education, and research; and

WHEREAS, on May 20, 1989, the foundation will sponsor an International Tag Sale to increase public awareness of CdLS;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 20, 1989, as CORNELIA de LANGE AWARENESS DAY in Illinois.

Issued May 18, 1989. Filed May 22, 1989.

PROCLAMATION
89-245
Gateway Day

WHEREAS, drug abuse is among our nation's foremost problems, affecting people from every ethnic and socio-economic background. Crime, decay of our social system and much human misery are worsened by the specter of drug abuse; and

WHEREAS, despite increased demands on resources for drug treatment programs and the difficulty inherent in rehabilitation, Gateway Foundation perseveres in its successful drug-free programs; and

WHEREAS, this non-profit organization provides outreach services, residential and outpatient drug-free treatment, and prevention and community education through residential and outpatient centers. Since its inception, Gateway Foundation has continued its dedication to building former drug abusers into confident men and women capable of participating as self-sufficient, respected and competent members of society; and

WHEREAS, at its 14th annual Citizen of the Year Dinner on June 7th, Gateway will celebrate its 21st year of service to the chemically dependent and will honor FMC Corporation and its president, Raymond C. Tower. A special community Service Award will be presented to Eppie Lederer (Ann Landers) for her work in educating the public on the nature and treatment of chemical dependence.

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim June 7, 1989, as GATEWAY DAY in Illinois and commend the success of the Gateway Foundation in its drug treatment programs.

Issued May 18, 1989. Filed May 22, 1989.

PROCLAMATION
89-246
Golden Trumpets Day

WHEREAS, the Publicity Club of Chicago is a professional organization of public relations and communications practitioners that was established in 1941; and

WHEREAS, public relations professionals are an integral part of the successful execution of an organization's goals and strategies in both the corporate and public sectors; and

WHEREAS, the Publicity Club of Chicago is dedicated to maintaining high standards of performance among its members and the communications field as a whole; and

WHEREAS, on May 25th, the Publicity Club of Chicago will present the Golden Trumpet Awards in recognition of outstanding communications efforts in Chicago and the Midwest;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 25, 1989, as GOLDEN TRUMPETS DAY in Illinois in honor of the 30th anniversary of this prestigious ceremony.

Issued May 18, 1989. Filed May 22, 1989.

PROCLAMATION
89-247

John H. Johnson Day

WHEREAS, John H. Johnson, founder of Ebony magazine, has risen from the welfare lines to Forbes' list of the 400 wealthiest Americans; and

WHEREAS, his inspiring autobiography, Succeeding Against the Odds, relates what it was like to grow up in Chicago; and

WHEREAS, in addition to his professional accomplishments, he has made many contributions to the Chicago community; and

WHEREAS, he currently is Publisher, Chairman, and Chief Executive Officer of Johnson Publishing Company; and

WHEREAS, Mr. Johnson will be honored on Wednesday, May 24, 1989, by the Chicago and Northern Illinois Region of the National Conference of Christians and Jews at its 53rd annual board meeting;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 24, 1989, as JOHN H. JOHNSON DAY in Illinois in recognition of his achievements.

Issued May 18, 1989. Filed May 22, 1989.

PROCLAMATION
89-248

Pharmaceutical Manufacturers Day

WHEREAS, the Illinois pharmaceutical manufacturers are worldwide research-based companies with interrelated businesses in health care, agriculture and specialty organic chemicals, as well as diversified interests in consumer and materials science products; and

WHEREAS, the Illinois pharmaceutical manufacturers employ more than 20,000 people throughout Illinois; operate more than 50 production and distribution facilities in the state; and rank among the leading industrial concerns of Illinois; and

WHEREAS, since beginning operations in Illinois in the 1800s, Illinois pharmaceutical manufacturers have greatly enhanced the quality of life through pharmaceutical innovation and have created a world center of high technology, thereby making an important contribution to a prosperous Illinois economy;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim June 7, 1989, as PHARMACEUTICAL MANUFACTURERS DAY in Illinois in appreciation of their contributions to our state.

Issued May 18, 1989. Filed May 22, 1989.

PROCLAMATION

89-249

React Month

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WHEREAS, highway safety is enhanced by the widespread use of citizen band radios; and

WHEREAS, the Radio Emergency Associated Citizens Teams (REACT) play an important role in the highway communications system, by voluntarily providing a link from the highway to lifesaving agencies through the use of their own CB radios; and

WHEREAS, their cumulative effort, totaling millions of hours each year, results in the saving of many lives through quicker response times at accidents and during natural disasters; and

WHEREAS, on Memorial Day and Labor Day, REACT Teams across the state provide safety breaks with free coffee and doughnuts to motorists; and

WHEREAS, keeping abreast of the latest developments, they also are involved in public information programs regarding the use of seat belts and infant seats, and in an impaired driver alert program helping to keep drunk drivers off the roads;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim May 1989 as REACT MONTH in Illinois, in recognition of the dedicated service its members provide.

Issued May 18, 1989. Filed May 22, 1989.

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TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
rc	= recodified	F	= Failure to Remedy Objections
#	= renumbered	M	= Modification
		O	= ICAR Objection
		P	= Proposed rule
		PF	= Prohibited Filing
		PP	= Peremptory rule
		R	= Refusal to Modify or Withdraw
		RC	= ICAR Recommendation
		S	= Suspended rule
		W	= Withdrawal of Proposed rule

TITLE 2

700 Ap. D	am	(A-5066)
850.15	n	(A-1510)
850.20	am	(A-1510)
850.30	am	(A-1510)
850.110	am	(A-1510)
850.120	am	(A-1510)
850.130	am	(A-1510)
850.205	n	(A-1510)
850.210	am	(A-1510)
850.220	am	(A-1510)
850.230	am	(A-1510)
850.240	am	(A-1510)
850.Tb. A	am	(A-1510)
850.Tb. B	am	(A-1510)
850.Tb. C	am	(A-1510)
850.Tb. D	am	(A-1510)
850.Tb. E	am	(A-1510)
850.Tb. G	am	(A-1510)
850.Tb. H	am	(A-1510)
1076.110	am	(A-7940)
1076.200	am	(A-7940)
1076.210	am	(A-7940)
1076.300	am	(A-7940)
1076.310	am	(A-7940)
1076.410	am	(A-7940)
1076.Ap. A	r	(A-7940)
1076.Ap. B	am	(A-7940)
5025.110	n	(A-3747)
5025.120	n	(A-3747)
5025.130	n	(A-3747)
5025.140	n	(A-3747)

TITLE 2 (CONT'D)

5025.150	n	(A-3747)
5025.160	n	(A-3747)
5025.170	n	(A-3747)
5025.180	n	(A-3747)
5025.210	n	(A-3747)
5025.210	r	(A-3742)
5025.220	r	(A-3742)
5025.230	r	(A-3742)
5025.310	n	(A-3747)
5025.320	n	(A-3747)
5025 Ap. A	r	(A-3742)
5200.10	am	(A-7902)

TITLE 3

20.1	am	(P-19178/88; W-2166)
25.20	am	(P-19164/88; A-3628)
25.30	am	(P-19164/88; A-3628)
25.50	am	(P-19164/88; A-3628)
25.130	am	(P-19164/88; A-3628)
75.5	am	(P-19172/88; A-3636)
75.190	am	(P-19172/88; A-3636)
80.10	am	(P-19196/88; A-3676)
80.20	am	(P-19196/88; A-3676)
80.110	am	(P-19185/88; A-3642)
85.5	am	(P-19185/88; A-3642)
85.10	am	(P-19185/88; A-3642)
85.15	am	(P-19185/88; A-3642)
85.50	am	(P-19185/88; A-3642)
85.75	am	(P-19185/88; A-3642)
90.10	am	(P-19201/88; A-3681)
90.110	am	(P-19201/88; A-3681)
105.5	am	(P-20309/88; A-3715)

TITLE 8 (CONTD)	
105.10 am	(P-20309/88; A-3715)
105.30 am	(P-20309/88; A-3715)
110.50 am	(P-19153/88; A-3617)
110.80 am	(P-19153/88; A-3617)
110.90 am	(P-19153/88; A-3617)
110.110 am	(P-19153/88; A-3617)
110.120 am	(P-19153/88; A-3617)
115.10 am	(P-19218/88; A-3685)
115.20 am	(P-19218/88; A-3685)
125.10 am	(PP-228)
125.60 am	(P-19211/88; A-3696)
125.80 am	(P-19211/88; A-3696)
125.260 am	(PP-228)
125.270 am	(PP-228)
125.305 am	(PP-2160)
230.20 am	(P-3511) (E-4015)
255.10 n	(P-2571)
255.20 n	(P-2571)
255.30 n	(P-2571)
255.40 n	(P-2571)
255.50 n	(P-2571)
255.60 n	(P-2571)
255.70 n	(P-2571)
255.80 n	(P-2571)
255.90 n	(P-2571)
255.100 n	(P-2571)
255.110 n	(P-2571)
255.120 n	(P-2571)
255.130 n	(P-2571)
255.140 n	(P-2571)
255.150 n	(P-2571)
255.160 n	(P-2571)
255.170 n	(P-2571)
505.10 am	(P-19806/88; A-3703)
505.20 am	(P-19806/88; A-3703)
505.25 am	(P-19806/88; A-3703)
505.240 am	(P-19806/88; A-3703)
505.260 am	(P-19806/88; A-3703)
505.310 am	(P-19806/88; A-3703)
700.Ap. F am	(P-2598)
700.Ap. G am	(P-17139/88; A-3653)
700.Ap. I am	(P-14786/88; A-285)
1400.147 am	(P-5545/88; A-2440)
1400.149 am	(P-5545/88; A-2440)
TITLE 11	
208.10 n	(P-13926/88; O-20234/88; R-1250; M-1250; A-1232)
208.20 n	(P-13926/88; O-20234/88; R-1250; A-1232)
208.30 n	(P-13926/88; O-20234/88; R-1250; A-1232)
208.40 n	(P-13926/88; O-20234/88; R-1250; A-1232)
208.100 n	(P-13926/88; O-20234/88; R-1250; A-1232)

TITLE H (CONT'D)	
208.110	n (P-13926/88; O-20234/88; R-1250; A-1232)
208.120	n (P-13926/88; O-20234/88; R-1250; A-1232)
404.20	am (P-13936/88; A-7440)
404.200	am (P-13936/88; A-7440)
417.30	am (E-1899; O-5811) (P-1979)
417.35	n (E-1899; O-5811) (P-1979)
417.100	n (E-1899; O-5811) (P-1979)
422.20	n (P-13922/88; A-1558)
437.10	n (P-1099; O-5802; R-7484; A-7435)
437.20	n (P-1099; O-5802; R-7484; A-7435)
437.30	n (P-1099; O-5802; R-7484; A-7435)
437.40	n (P-1099; O-5802; R-7484; A-7435)
502.40	am (P-18105/88; A-4931)
502.120	am (P-17755/88; A-1562)
502.600	am (P-17755/88; A-1562)
1308.20	am (P-17766/88; O-1268; R-2167; A-2156)
1308.30	n (P-17766/88; O-1268; R-2167; A-2156)
1308.40	n (P-17766/88; O-1268; R-2167; A-2156)
1409.120	am (P-17761/88; O-1266; R-1906; A-1841)
1409.130	am (P-17761/88; O-1266; R-1906; A-1841)
1409.132	r (P-17761/88; A-1841)
1410.10	am (P-4345/88; A-1846)
1410.15	r (P-4345/88; A-1846)
1770.10	n (P-10298/88; O-3419; R-8116; A-7908)
1770.10	r (P-10331/88; A-7906)
1770.20	n (P-10298/88; O-3419; R-8116; A-7908)
1770.20	r (P-10331/88; A-7906)
1770.30	n (P-10298/88; O-3419; R-8116; A-7908)
1770.30	r (P-10331/88; A-7906)
1770.40	n (P-10298/88; O-3419; R-8116; A-7908)
1770.50	n (P-10298/88; O-3419; R-8116; A-7908)
1770.50	r (P-10331/88; A-7906)
1770.60	n (P-10298/88; O-3419; R-8116; A-7908)
1770.60	r (P-10331/88; A-7906)
1770.70	n (P-10298/88; O-3419; R-8116; A-7908)
1770.70	r (P-10331/88; A-7906)
1770.80	n (P-10298/88; O-3419; R-8116; A-7908)
1770.80	r (P-10331/88; A-7906)
1770.90	n (P-10298/88; O-3419; R-8116; A-7908)

TITLE II (CONT'D)					
1770.90	r	(P-1033/88; A-7906)			
1770.100	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.100	r	(P-1033/88; A-7906)			
1770.110	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.110	r	(P-1033/88; A-7906)			
1770.120	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.120	r	(P-1033/88; A-7906)			
1770.130	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.130	r	(P-1033/88; A-7906)			
1770.140	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.140	r	(P-1033/88; A-7906)			
1770.150	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.150	r	(P-1033/88; A-7906)			
1770.160	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.160	r	(P-1033/88; A-7906)			
1770.170	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.170	r	(P-1033/88; A-7906)			
1770.180	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.180	r	(P-1033/88; A-7906)			
1770.190	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.190	r	(P-1033/88; A-7906)			
1770.200	n	(P-10298/88; O-3419; R-8116; A-7908)			
1770.200	r	(P-1033/88; A-7906)			
1770.210	r	(P-1033/88; A-7906)			
1770.220	r	(P-1033/88; A-7906)			
TITLE 14					
176.11	am	(P-1770/88; A-5197)			
177.10	n	(P-2043/88; A-4937)			
177.20	n	(P-2043/88; A-4937)			
177.30	n	(P-2043/88; A-4937)			
177.II.A	n	(P-2043/88; A-4937)			
177.II.B	n	(P-2043/88; A-4937)			
520.700	am	(P-4985)			
520.710	am	(P-4985)			
520.720	am	(P-4985)			
520.730	am	(P-4985)			
520.740	am	(P-4985)			
520.750	n	(P-4985)			
520.1000	am	(P-4985)			
520.1010	am	(P-4985)			
520.1020	am	(P-4985)			
520.1030	am	(P-4985)			
590.30	am	(P-2071/487; A-58)			
590.10	am	(P-1524/88; A-2028)			

TITLE 14 (CONT'D)	
590.80	n (P-15249/88; A-2028)
590.81	n (P-15249/88; A-2028)
590.90	n (P-15249/88; A-2028)
590.91	n (P-15249/88; A-2028)
590.92	n (P-15249/88; A-2028)
590.93	n (P-15249/88; A-2028)
620.10	am (P-14797/88; A-1758)
620.30	am (P-14797/88; A-1758)
620.40	am (P-14797/88; A-1758)
620.50	am (P-14797/88; A-1758)
620.60	am (P-14797/88; A-1758)
620.70	am (P-14797/88; A-1758)
620.80	am (P-14797/88; A-1758)
620.90	am (P-14797/88; A-1758)
630.20	am (P-4987/88; A-4164)
630.40	am (P-4987/88; A-4164)
TITLE 17	
110.30	am (P-20363/88; A-3785)
110.45	am (P-20363/88; A-3785)
110.60	am (P-20363/88; A-3785)
110.70	am (P-20363/88; A-3785)
110.90	am (P-20363/88; A-3785)
110.120	am (P-20363/88; A-3785)
110.150	am (P-20363/88; A-3785)
110.180	am (P-20363/88; A-3785)
220.10	n (P-731)
220.20	n (P-731)
220.30	n (P-731)
220.40	n (P-731; O-8125; RC-8128)
220.50	n (P-731)
220.60	n (P-731)
220.70	n (P-731)
220.80	n (P-731)
220.90	n (P-731)
230.10	n (P-4430)
230.20	n (P-4430)
230.30	n (P-4430)
230.40	n (P-4430)
230.50	n (P-4430)
510.10	am (P-3268)
530.20	am (P-4399)
530.70	am (P-4399)
530.80	am (P-4399)
530.90	am (P-4399)
530.100	am (P-4399)
530.105	am (P-4399)
530.110	am (P-4399)
550.30	am (P-3273)
570.40	am (P-5087/88; A-12034/88; O-3468)
570.20	am (P-2632)
570.30	am (P-2632)
570.40	am (P-2632)
590.10	am (P-3221 (E-22244/88; O-3462)
590.30	am (P-3221)
590.40	am (P-3221)

TITLE 17 (CONT'D)		
590.50	ann	(P-3221)
590.60	ann	(P-3221)
590 Ex. A	ann	(P-3221)
650.20	ann	(P-4442)
650.21	ann	(P-4442)
650.22	ann	(P-4442)
650.40	ann	(P-4442)
650.50	ann	(P-4442)
650.60	ann	(P-4442)
670.20	ann	(P-5052)
670.30	ann	(P-5052)
670.40	ann	(P-5052)
670.50	ann	(P-5052)
670.55	ann	(P-5052)
670.60	ann	(P-5052)
690.30	ann	(P-2641)
710.10	ann	(P-20993/8)
710.20	ann	(P-20993/8)
710.50	ann	(P-20993/8)
715.10	n	(P-7854)
715.20	n	(P-7854)
715.30	n	(P-7854)
715.40	n	(P-7854)
720.10	ann	(P-4435)
720.20	ann	(P-4435)
730.20	ann	(P-2609)
730.30	ann	(P-2609)
740.10	ann	(P-4458)
740.20	ann	(P-4458)
810.30	ann	(P-1690)
810.40	ann	(P-1690)
810.70	ann	(P-1690)
870.10	r	(P-3264)
870.13	n	(P-3213)
870.15	r	(P-3264)
870.20	r	(P-3264)
870.23	n	(P-3213)
870.30	r	(P-3213)
870.40	n	(P-3213)
870.50	n	(P-3213)
870.60	n	(P-3213)
870.70	n	(P-3213)
930.45	ann	(P-3262)
960.10	n	(P-7515)
960.20	n	(P-7515)
960.30	n	(P-7515)
960.40	n	(P-7515)
960.50	n	(P-7515)
970.10	n	(P-7518)
970.20	n	(P-7518)
970.30	n	(P-7518)
970.40	n	(P-7518)
970.50	n	(P-7518)

TITLE 17 (CONT'D)	
1010.25	am (P-20325/88; A-4179)
1010.30	am (P-20325/88; A-4179)
1010.35	am (P-20335/88; A-3755)
1050.20	am (P-20335/88; A-3755)
1050.25	am (P-20335/88; A-3755)
1050.30	am (P-20335/88; A-3755)
1050.35	am (P-20335/88; A-3755)
1050.40	am (P-20335/88; A-3755)
1560.10	n (P-2626)
1560.20	n (P-2626)
1560.30	n (P-2626)
1560.40	n (P-2626)
1560.50	n (P-2626)
1560.60	n (P-2626)
1560.70	n (P-2626)
1560.80	n (P-2626)
1560.90	n (P-2626)
1590.110	am (P-2622)
1590.120	am (P-2622)
2030.20	am (P-4417)
2030.30	am (P-4417)
2030.40	am (P-4417)
2030.50	am (P-4417)
2030.60	n (E-2878) (P-4417)
TITLE 20	
107.170	r (P-979; A-6992)
501.130	n (P-7181)
502.40	am (P-3528)
1295.10	n (P-17064/88; A-1856)
1295.20	n (P-17064/88; A-1856)
1295.30	n (P-17064/88; A-1856)
1295.40	n (P-17064/88; RC-1270; A-1856)
1295.50	n (P-17064/88; RC-1270; A-1856)
1295.60	n (P-17064/88; RC-1270; A-1856)
1295.70	n (P-17064/88; RC-1270; A-1856)
1295.80	n (P-17064/88; A-1856)
1520.10	am (P-1317; A-5926) (E-1605)
1520.46	n (P-1317; A-5926) (E-1605)
1520.50	am (P-1317; A-5926) (E-1605)
1610.70	am (P-4774/88; A-3063)
TITLE 23	
110.10	am (P-12625/88; A-7610)
110.20	am (P-12625/88; A-7610)
110.25	am (P-12625/88; A-7610)
110.30	am (P-12625/88; A-7610)
110.40	am (P-12625/88; A-7610)
110.50	am (P-12625/88; A-7610)
110.60	am (P-12625/88; A-7610)
110.70	am (P-12625/88; A-7610)
110.80	am (P-12625/88; A-7610)
110.90	am (P-12625/88; A-7610)
1110.10	am (P-12625/88; A-7610)
1110.15	am (P-12625/88; A-7610)
110.Tb. A	am (P-12625/88; A-7610)
110.Tb. B	am (P-12625/88; A-7610)
110.Tb. C	am (P-12625/88; A-7610)
110.Tb. D	am (P-12625/88; A-7610)

TITLE 23 (CONT'D)		TITLE 26	
120.10	am (P-19266/88; A-7731)	201.50	n (P-5322)
120.60	am (P-19266/88; A-7731)	201.50	n (P-5322)
120.110	am (P-19266/88; A-7731)		
120.130	n (P-19266/88; O-3416; R-7815; A-7731)		
120.200	am (P-19266/88; A-7731)		
120.210	am (P-19266/88; A-7731)		
120.235	am (P-19266/88; A-7731)		
227.10	am (P-4097)		
227.12	n (P-4097)		
227.14	n (P-4097)		
227.16	n (P-4097)		
227.18	n (P-4097)		
227.30	am (P-4097)		
227.40	am (P-4097)		
230.10	am (P-12747/88; A-1535)		
230.30	am (P-12747/88; A-1535)		
230.60	am (P-12747/88; A-1535)		
275.90	am (P-12745/88; A-1532)		
500.20	am (P-1730)		
500.50	am (P-1730)		
500.120	n (P-1730)		
501.307	am (P-4087)		
1501.309	am (P-4087)		
1501.501	am (P-3517)		
1501.503	am (P-3517)		
1501.508	am (P-3517)		
1501.509	am (P-16313/88; A-1182)		
1501.517	am (P-4394)		
1720.40	am (P-18114/88; RC-5805)		
1720.60	am (P-18114/88; RC-5805)		
1720.75	r (P-18114/88; RC-5805)		
1720.140	r (P-15047/88; A-2872)		
1720.Ap. B	r (P-15047/88; A-2872)		
2310.80	am (P-1319; A-7898)		
3030.60	r (P-12180/88; A-1244)		
3030.105	am (P-12180/88; A-1244)		
3300.10	n (P-14809/88; O-3440; R-4957; A-4672)		
3300.20	n (P-14809/88; O-3440; R-4957; A-4672)		
3300.30	n (P-14809/88; O-3440; R-4957; A-4672)		
3300.40	n (P-14809/88; O-3440; R-4957; A-4672)		
3300.50	n (P-14809/88; O-3440; R-4957; A-4672)		
3300.60	n (P-14809/88; O-3440; R-4957; A-4672)		
3300.70	n (P-14809/88; O-3440; R-4957; A-4672)		
3300.80	n (P-14809/88; O-3440; R-4957; A-4672)		

TITLE 26 (CONT'D)		
202.60	n	(P-5339)
207.70	am	(P-5327)
207.80	am	(P-5327)
207.90	am	(P-5327)
207.110	n	(P-5327)
207.Ap. B		(P-5327)
208.20	n	(P-5317)
TITLE 29		
430.10	r	(P-17585/88; A-2049)
430.10	n	(P-17575/88; A-2040)
430.15	n	(P-17575/88; A-2040)
430.20	r	(P-17585/88; A-2049)
430.20	n	(P-17575/88; A-2040)
430.30	r	(P-17585/88; A-2049)
430.30	n	(P-17575/88; A-2040)
430.40	r	(P-17585/88; A-2049)
430.40	n	(P-17575/88; A-2040)
430.50	r	(P-17585/88; A-2049)
430.50	n	(P-17575/88; A-2040)
430.60	r	(P-17585/88; A-2049)
430.60	n	(P-17575/88; A-2040)
430.70	r	(P-17585/88; A-2049)
430.70	n	(P-17575/88; A-2040)
430.80	n	(P-17575/88; A-2040)
TITLE 32		
332.10	n	(P-5874)
332.20	n	(P-5874)
332.30	n	(P-5874)
332.40	n	(P-5874)
332.50	n	(P-5874)
332.60	n	(P-5874)
332.70	n	(P-5874)
332.80	n	(P-5874)
332.90	n	(P-5874)
332.100	n	(P-5874)
332.110	n	(P-5874)
332.120	n	(P-5874)
332.130	n	(P-5874)
332.140	n	(P-5874)
332.150	n	(P-5874)
332.160	n	(P-5874)
332.170	n	(P-5874)
332.180	n	(P-5874)
332.190	n	(P-5874)
332.200	n	(P-5874)
332.210	n	(P-5874)
332.220	n	(P-5874)
332.230	n	(P-5874)
332.240	n	(P-5874)
332.250	n	(P-5874)
332.260	n	(P-5874)
332.270	n	(P-5874)
332.280	n	(P-5874)
332.290	n	(P-5874)

TITLE 35 (CONT'D)		TITLE 35 (CONT'D)	
360.10	am (P-13858/88; A-803)	365.402	n (P-18030/88; A-7351)
360.20	am (P-13858/88; A-803)	365.403	n (P-18030/88; A-7351)
360.30	am (P-13858/88; A-803)	365.404	n (P-18030/88; A-7351)
360.40	am (P-13858/88; A-803)	365.405	n (P-18030/88; A-7351)
360.50	am (P-13858/88; A-803)	365.406	n (P-18030/88; A-7351)
360.60	am (P-13858/88; A-803)	365.501	n (P-18030/88; A-7351)
360.70	am (P-13858/88; A-803)	365.502	n (P-18030/88; A-7351)
360.80	am (P-13858/88; A-803)	365.503	n (P-18030/88; A-7351)
360.90	am (P-13858/88; A-803)	365.504	n (P-18030/88; A-7351)
360.100	am (P-13858/88; A-803)	365.505	n (P-18030/88; A-7351)
360.Ap. A	am (P-13858/88; A-803)	365.506	n (P-18030/88; A-7351)
360.Tb. A	r (P-13858/88; A-803)	365.601	n (P-18030/88; A-7351)
360.Tb. B	am (P-13858/88; A-803)	365.602	n (P-18030/88; A-7351)
360.Tb. C	am (P-13858/88; A-803)	365.603	n (P-18030/88; A-7351)
401.170	am (P-982)	365.604	n (P-18030/88; A-7351)
410.10	am (P-13841/88; A-342)	365.605	n (P-18030/88; A-7351)
410.20	am (P-13841/88; A-342)	365.606	n (P-18030/88; A-7351)
410.30	am (P-13841/88; A-342)	365.607	n (P-18030/88; A-7351)
410.40	am (P-13841/88; A-342)	365.701	n (P-18030/88; A-7351)
410.50	am (P-13841/88; A-342)	365.702	n (P-18030/88; A-7351)
410.60	am (P-13841/88; A-342)	365.703	n (P-18030/88; A-7351)
410.70	am (P-13841/88; A-342)	365.704	n (P-18030/88; A-7351)
410.80	am (P-13841/88; A-342)	365.705	n (P-18030/88; A-7351)
410.II. A	n (P-13841/88; A-342)	365.706	n (P-18030/88; A-7351)
410.II. B	n (P-13841/88; A-342)	365.707	n (P-18030/88; A-7351)
		365.801	n (P-18030/88; A-7351)
		365.802	n (P-18030/88; A-7351)
		365.901	n (P-18030/88; A-7351)
		365.902	n (P-18030/88; A-7351)
		365.903	n (P-18030/88; A-7351)
		365.904	n (P-18030/88; A-7351)
		365.905	n (P-18030/88; A-7351)
		365.1001	n (P-18030/88; A-7351)
		365.1002	n (P-18030/88; A-7351)
		365.1003	n (P-18030/88; A-7351)
		365.1101	n (P-18030/88; A-7351)
		365.1102	n (P-18030/88; A-7351)
		365.Ap. A	n (P-18030/88; A-7351)
		Ex. A	n (P-18030/88; A-7351)
		Ex. B	n (P-18030/88; A-7351)
		Ex. C	n (P-18030/88; A-7351)
		378.101	n (P-12753/88; A-1190)
		378.102	n (P-12753/88; A-1190)
		378.103	n (P-12753/88; A-1190)
		378.201	n (P-12753/88; A-1190)
		378.202	n (P-12753/88; A-1190)
		378.203	n (P-12753/88; A-1190)
		378.204	n (P-12753/88; A-1190)
		378.301	n (P-12753/88; A-1190)
		378.302	n (P-12753/88; A-1190)
		378.303	n (P-12753/88; A-1190)
		378.Ap. A	n (P-12753/88; A-1190)
		378.Ap. B	n (P-12753/88; A-1190)
		378.Ap. C	n (P-12753/88; A-1190)
		378.Ap. D	n (P-12753/88; A-1190)
		378.Ap. E	n (P-12753/88; A-1190)
		601.105	am (P-262)

TITLE 32 (CONT'D)		TITLE 35 (CONT'D)	
360.10	am (P-13858/88; A-803)	251.103	am (E-955)
360.20	am (P-13858/88; A-803)	251.201	am (E-955)
360.30	am (P-13858/88; A-803)	251.202	n (E-955)
360.40	am (P-13858/88; A-803)	251.203	am (E-955)
360.50	am (P-13858/88; A-803)	251.208	am (E-955)
360.60	am (P-13858/88; A-803)	251.210	am (E-955)
360.70	am (P-13858/88; A-803)	251.212	r (E-955)
360.80	am (P-13858/88; A-803)	251.215	am (E-955)
360.90	am (P-13858/88; A-803)	251.301	am (E-955)
360.100	am (P-13858/88; A-803)	301.200	am (P-15823/88; A-5984)
360.Ap. A	am (P-13858/88; A-803)	301.260	am (P-15823/88; A-5984)
360.Tb. A	r (P-13858/88; A-803)	301.365	am (P-15823/88; A-5984)
360.Tb. B	am (P-13858/88; A-803)	301.430	am (P-15823/88; A-5984)
360.Tb. C	am (P-13858/88; A-803)	302.211	am (P-15844/88; A-5998)
401.170	am (P-982)	302.304	am (P-15844/88; A-5998)
410.10	am (P-13841/88; A-342)	302.504	am (P-15844/88; A-5998)
410.20	am (P-13841/88; A-342)	302.507	am (P-15844/88; A-5998)
410.30	am (P-13841/88; A-342)	302.509	am (P-15844/88; A-5998)
410.40	am (P-13841/88; A-342)	303.323	n (P-7863)
410.50	am (P-13841/88; A-342)	304.104	am (P-15815/88; A-5976)
410.60	am (P-13841/88; A-342)	304.120	am (P-18092/88; A-7754)
410.70	am (P-13841/88; A-342)	304.124	am (P-15815/88; A-5976)
410.80	am (P-13841/88; A-342)	304.140	r (P-15815/88; A-5976)
410.II. A	n (P-13841/88; A-342)	304.220	n (P-11397/88; A-2060)
410.II. B	n (P-13841/88; A-342)	304.302	n (P-11669/88; A-851)
		305.102	am (P-15839/88; A-5989)
		307.1102	am (P-7530)
		307.1508	am (P-16396/88; A-1794)
		307.1704	am (P-16396/88; A-1794)
		307.2101	am (P-16396/88; A-1794)
		307.2903	am (P-16396/88; A-1794)
		307.3110	am (P-16396/88; A-1794)
		307.3129	am (P-16396/88; A-1794)
		307.3500	am (P-16396/88; A-1794)
		307.3501	am (P-16396/88; A-1794)
		307.3503	am (P-16396/88; A-1794)
		307.3509	am (P-16396/88; A-1794)
		307.4004	am (P-16396/88; A-1794)
		307.8100	am (P-16396/88; A-1794)
		309.281	am (P-15893/88; A-5993)
		310.107	am (P-16384/88; A-2463)
		310.110	am (P-16384/88; A-2463)
		365.101	n (P-18030/88; A-7351)
		365.102	n (P-18030/88; A-7351)
		365.103	n (P-18030/88; A-7351)
		365.104	n (P-18030/88; A-7351)
		365.201	n (P-18030/88; A-7351)
		365.202	n (P-18030/88; A-7351)
		365.203	n (P-18030/88; A-7351)
		365.204	n (P-18030/88; A-7351)
		365.301	n (P-18030/88; A-7351)
		365.302	n (P-18030/88; A-7351)
		365.303	n (P-18030/88; A-7351)
		365.304	n (P-18030/88; A-7351)
		365.401	n (P-18030/88; A-7351)

TITLE 35 (CONT'D)		TITLE 38 (CONT'D)	
731.173 n (P-2650)		303.10 n (P-2889)	
731.174 n (P-2650)		303.20 n (P-2889)	
731.190 n (P-6861)		400.110 am (P-1985)	
731.191 n (P-6861)		400.120 am (P-1985)	
731.192 n (P-6861)		400.130 am (P-1985)	
731.193 n (P-6861)		400.140 r (P-1985)	
731.194 n (P-6861)		400.141 am (P-1985)	
731.195 n (P-6861)		400.142 am (P-1985)	
731.196 n (P-6861)		400.150 am (P-1985)	
731.197 n (P-6861)		400.440 am (P-1985)	
731.198 n (P-6861)		400.510 am (P-1985)	
731.199 n (P-6861)		400.615 am (P-1985)	
731.202 n (P-6861)		400.665 am (P-1985)	
731.203 n (P-6861)		400.675 r (P-1985)	
731.204 n (P-6861)		400.710 am (P-1985)	
731.205 n (P-6861)		400.1020 am (P-1985)	
731.206 n (P-6861)		400.1030 am (P-1985)	
731.207 n (P-6861)		400.1060 am (P-1985)	
731.208 n (P-6861)		400.1110 am (P-1985)	
731.209 n (P-6861)		400.1120 am (P-1985)	
731.210 n (P-6861)		400.1140 r (P-1985)	
731.211 n (P-6861)		400.1530 am (P-1985)	
731.900 r (P-2650)		400.1550 am (P-1985)	
731.900 r (P-2650)		400.2010 am (P-1985)	
731.901 r (P-2650)		400.2055 n (P-1985)	
731.901 r (P-6861)		400.2500 am (P-1985)	
849.101 n (P-15828/88; A-7949)		400.2510 am (P-1985)	
849.102 n (P-15828/88; A-7949)		400.2520 am (P-1985)	
849.103 n (P-15828/88; A-7949)		400.2700 n (P-1985)	
849.104 n (P-15828/88; A-7949)		400.2710 n (P-1985)	
849.105 n (P-15828/88; A-7949)			
849.106 n (P-15828/88; A-7949)			
858.204 re (A-5945)			
858.205 re (A-5945)			
858.207 re (A-5945)			
858.208 re (A-5945)			
858.304 re (A-5945)			
858.305 re (A-5945)			
858.306 re (A-5945)			
858.308 re (A-5945)			
858.309 re (A-5945)			
858.310 re (A-5945)			
TITLE 38		TITLE 41	
190.10 am (P-14097/88; O-22489/88; R-966; A-3793)		100.110 n (E-582; (P-1323))	
190.50 am (P-14097/88; O-22489/88; R-966; A-3793)		170.10 am (P-1756; (E-1886))	
190.70 am (P-4107)		170.71 n (P-1756; (E-1886))	
190.140 am (P-14097/88; O-22489/88; R-966; A-3793)		170.72 n (P-1756; (E-1886))	
190.160 am (P-14097/88; O-22489/88; R-966; A-3793)		170.73 n (P-1756; (E-1886))	
190.165 n (P-4107)		170.75 am (P-1756; (E-1886))	
190.180 am (P-14097/88; O-22489/88; R-966; A-3793)		170.75 # (A-5669)	
		170.75 n (P-1756; (E-1886))	
		170.106 n (P-1756; (E-1886))	
		170.107 n (P-1756; (E-1886))	
		170.108 n (P-1756; (E-1886))	
		170.400 n (A-5669)	
		170.410 n (A-5669)	
		170.420 n (A-5669)	
		170.430 n (A-5669)	
		170.440 n (A-5669)	
		170.450 n (A-5669)	
		170.460 n (A-5669)	
		170.470 n (A-5669)	
		170.480 n (A-5669)	
		170.490 n (A-5669)	
		170.500 n (A-5669)	
		170.510 n (A-5669)	
		170.520 n (A-5669)	
		170.530 n (A-5669)	

TITLE 41 (CONT'D)		TITLE 44 (CONT'D)	
170.530 am (A-7744)		525.670 am (P-2709)	
170.540 n (A-5669)		525.700 am (P-2709)	
170.550 n (A-5669)		525.710 am (P-2709)	
170.560 n (A-5669)		525.720 am (P-2709)	
170.570 n (A-5669)		526.10 n (P-2746)	
170.580 n (A-5669)		526.20 n (P-2746)	
170.590 n (A-5669)		526.30 n (P-2746)	
170.600 n (A-5669)		526.40 n (P-2746)	
170.610 n (A-5669)		526.50 n (P-2746)	
170.620 n (A-5669)		526.60 n (P-2746)	
170.630 n (A-5669)		526.70 n (P-2746)	
170.640 n (A-5669)		530.5 r (P-2648)	
170.650 n (A-5669)		530.10 am (P-2648)	
170.660 n (A-5669)		530.20 am (P-2648)	
170.670 # (A-5669)		530.30 n (P-2648)	
170.670 am (A-5669)		530.60 n (P-2648)	
170.70. A n (A-5669)		530.70 # (P-2648)	
170.70. B n (A-5669)		530.70 am (P-2648)	
180.10 am (E-1875; O-5807)		530.100 am (P-2648)	
180.10 am (P-1754; (E-1875))		530.110 am (P-2648)	
180.20 am (E-1875; O-5807)		530.200 # (P-2648)	
180.20 am (P-1754; (E-1875))		530.300 am (P-2648)	
180.25 n (E-1875; O-5807)		530.310 r (P-2648)	
180.25 n (P-1754; (E-1875))		530.320 am (P-2648)	
		530.330 am (P-2648)	
		530.340 am (P-2648)	
		530.350 am (P-2648)	
		530.400 am (P-2648)	
		530.410 am (P-2648)	
		530.500 am (P-2648)	
		530.510 am (P-2648)	
		530.520 am (P-2648)	
		530.530 am (P-2648)	
		530.540 n (P-2648)	
		530.600 am (P-2648)	
		530.610 am (P-2648)	
		530.620 am (P-2648)	
		530.630 am (P-2648)	
		530.640 am (P-2648)	
		530.650 am (P-2648)	
		530.660 am (P-2648)	
		530.670 am (P-2648)	
		530.700 am (P-2648)	
		530.710 am (P-2648)	
		530.720 am (P-2648)	
		535.5 r (P-2766)	
		535.10 am (P-2766)	
		535.20 am (P-2766)	
		535.50 n (P-2766)	
		535.60 n (P-2766)	
		535.70 # (P-2766)	
		535.70 am (P-2766)	
		535.100 am (P-2766)	
		535.110 am (P-2766)	
		535.200 # (P-2766)	
		535.300 am (P-2766)	

TITLE 44 (CONT'D)			τ
535,310	ant	(p-2766)	
535,320	ant	(p-2766)	
535,330	ant	(p-2766)	
535,340	ant	(p-2766)	
535,350	ant	(p-2766)	
535,360	ant	(p-2766)	
535,370	ant	(p-2766)	
535,380	ant	(p-2766)	
535,390	ant	(p-2766)	
535,400	ant	(p-2766)	
535,410	ant	(p-2766)	
535,420	ant	(p-2766)	
535,430	ant	(p-2766)	
535,440	ant	(p-2766)	
535,450	ant	(p-2766)	
535,460	ant	(p-2766)	
535,470	ant	(p-2766)	
535,480	ant	(p-2766)	
535,490	ant	(p-2766)	
535,500	ant	(p-2766)	
535,510	ant	(p-2766)	
535,520	ant	(p-2766)	
535,530	ant	(p-2766)	
535,540	n	(p-2766)	
535,550	ant	(p-2766)	
535,560	ant	(p-2766)	
535,570	ant	(p-2766)	
535,580	ant	(p-2766)	
535,590	ant	(p-2766)	
535,600	ant	(p-2766)	
535,610	ant	(p-2766)	
535,620	ant	(p-2766)	
535,630	ant	(p-2766)	
535,640	ant	(p-2766)	
535,650	ant	(p-2766)	
535,660	ant	(p-2766)	
535,670	ant	(p-2766)	
535,680	ant	(p-2766)	
535,690	ant	(p-2766)	
535,700	ant	(p-2766)	
535,710	ant	(p-2766)	
535,720	ant	(p-2766)	
540,5	τ	(p-2764)	
540,10	ant	(p-2764)	
540,20	ant	(p-2764)	
540,30	ant	(p-2764)	
540,40	n	(p-2764)	
540,50	n	(p-2764)	
540,60	#	(p-2764)	
540,70	#	(p-2764)	
540,80	ant	(p-2764)	
540,90	ant	(p-2764)	
540,100	ant	(p-2764)	
540,110	ant	(p-2764)	
540,120	#	(p-2764)	
540,130	#	(p-2764)	
540,140	ant	(p-2764)	
540,150	ant	(p-2764)	
540,160	ant	(p-2764)	
540,170	ant	(p-2764)	
540,180	ant	(p-2764)	
540,190	ant	(p-2764)	
540,200	ant	(p-2764)	
540,210	ant	(p-2764)	
540,220	ant	(p-2764)	
540,230	ant	(p-2764)	
540,240	ant	(p-2764)	
540,250	ant	(p-2764)	
540,260	ant	(p-2764)	
540,270	ant	(p-2764)	
540,280	ant	(p-2764)	
540,290	ant	(p-2764)	
540,300	ant	(p-2764)	
540,310	ant	(p-2764)	
540,320	ant	(p-2764)	
540,330	ant	(p-2764)	
540,340	ant	(p-2764)	
540,350	ant	(p-2764)	
540,360	ant	(p-2764)	
540,370	ant	(p-2764)	
540,380	ant	(p-2764)	
540,390	ant	(p-2764)	
540,400	ant	(p-2764)	
540,410	ant	(p-2764)	
540,420	ant	(p-2764)	
540,430	ant	(p-2764)	
540,440	ant	(p-2764)	
540,450	ant	(p-2764)	
540,460	ant	(p-2764)	
540,470	ant	(p-2764)	
540,480	ant	(p-2764)	
540,490	ant	(p-2764)	
540,500	ant	(p-2764)	
540,510	ant	(p-2764)	
540,520	ant	(p-2764)	
540,530	ant	(p-2764)	
540,540	n	(p-2764)	
540,550	ant	(p-2764)	
540,560	ant	(p-2764)	
540,570	ant	(p-2764)	
540,580	ant	(p-2764)	
540,590	ant	(p-2764)	
540,600	ant	(p-2764)	
540,610	ant	(p-2764)	
540,620	ant	(p-2764)	
540,630	ant	(p-2764)	
540,640	ant	(p-2764)	
540,650	ant	(p-2764)	
540,660	ant	(p-2764)	
540,670	ant	(p-2764)	
540,680	ant	(p-2764)	
540,690	ant	(p-2764)	
540,700	ant	(p-2764)	

TITLE 44 (CONT'D)		
540,720	ann	(f)
910,130	ann	(f)
4400,25	n	(f)
4400,Ap A	n	(f)
4400,Ap B	n	(f)
4400,Ap C	n	(f)
4400,Ap D	n	(f)
4500,30	ann	(f)
5040,350	r	(f)

TITLE 47		
1,35	n	(f)
1,60	ann	(f)
1,70	ann	(f)
1,85	n	(f)
1,100	ann	(f)
1,105	n	(f)
1,110	ann	(f)
1,130	ann	(f)
1,160	n	(f)
1,170	n	(f)
1,175	n	(f)
1,180	n	(f)
1,185	n	(f)
1,190	n	(f)
1,195	n	(f)
100,70	ann	(f)
100,85	ann	(f)
100,90	ann	(f)
100,110	ann	(f)
100,120	ann	(f)
120,80	ann	(f)
120,100	ann	(f)
120,110	ann	(f)
120,115	n	(f)
120,115	ann	(f)
160,80	ann	(f)
350,202	ann	(f)
360,103	n	(f)
360,104	n	(f)
360,302	n	(f)
360,305	n	(f)
360,306	n	(f)
360,309	n	(f)

TITLE 50		
201,20	ann	(f)
201,30	ann	(f)
201,50	ann	(f)
201,60	ann	(f)
301,30	ann	(f)
301,60	ann	(f)
301,70	ann	(f)
401,30	ann	(f)
401,60	ann	(f)
401,70	ann	(f)

[illegible]

TITLE 50	am	(P-2900)
201.20	am	(P-2900)
201.30	am	(P-2900)
201.50	am	(P-2900)
201.60	am	(P-2900)
301.30	am	(P-2901)
301.60	am	(P-2901)
301.70	am	(P-2901)
401.30	am	(P-2905)
401.60	am	(P-2905)
401.70	am	(P-2905)

TITLE 50 (CONT'D)		(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P	(P
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TITLE	50
6301.Ex.	A
6302-40	am
6701.10	n
6701.20	n
6701.30	n
6701.Ex.	A
TITLE 56	
350.20	am
350.280	am
350.300	n
350.310	n
350.320	n
350.330	n
350.340	n
350.350	n
350.360	n
350.370	n
350.380	n
350.400	n
350.410	n
350.420	n
350.430	n
350.440	n
350.450	n
2090.105	am
2600.20	am
2600.30	am
2610.60	am
2610.100	am
2610.130	am
2610.Ap.	A
2625.20	n
2625.30	n
2625.40	n
2625.50	n
2712.201	n
2712.202	n
2712.203	n
2712.205	n
2712.207	n
2712.210	n
2720.1	am
2720.130	am
2720.132	am
2725.20	am
2725.100	am
2725.105	am
2725.120	am
2725.250	am

[illegible]

[illegible]

TITLE 68 (CONT'D)			TITLE 68 (CONT'D)		
1220.Ap. B	am	(P-5867/88; A-4191)	1360.60	am	(P-14963/88; A-4234)
1220.Ap. C	am	(P-5867/88; A-4191)	1360.65	n	(P-14963/88; A-4234)
1250.130	am	(P-3535)	1360.70	am	(P-14963/88; O-3450; RC-3452; R-4308; A-4234)
1250.190	am	(P-3535)	1360.75	n	(P-14963/88; RC-3452; A-4234)
1280.10	r	(P-8536/88; A-513)	1360.80	r	(P-14963/88; A-4234)
1280.20	r	(P-8536/88; A-513)	1360.85	am	(P-14963/88; A-4234)
1280.30	r	(P-8536/88; A-513)	1360.90	am	(P-14963/88; A-4234)
1280.40	r	(P-8536/88; A-513)	1360.Ap. A	r	(P-14963/88; A-4234)
1280.55	r	(P-8536/88; A-513)	1360.Ap. B	r	(P-14963/88; A-4234)
1280.60	r	(P-8536/88; A-513)	1400.10	r	(P-2913)
1280.70	r	(P-8536/88; A-513)	1400.20	am	(P-2913)
1280.80	r	(P-8536/88; A-513)	1400.25	am	(P-2519)
1280.85	r	(P-8536/88; A-513)	1400.30	am	(P-2519)
1280.105	r	(P-8536/88; A-513)	1400.35	am	(P-2913)
1280.107	r	(P-8536/88; A-513)	1400.40	am	(P-2913)
1280.110	r	(P-8536/88; A-513)	1400.45	am	(P-2519)
1280.112	am	(P-274 (E-651; O-3475)	1400.50	am	(P-2913)
1285.20	n	(P-8571/88; A-483)	1400.55	am	(P-2519)
1285.30	n	(P-8571/88; A-483)	1400.60	am	(P-2913)
1285.40	n	(P-8571/88; A-483)	1400.65	am	(P-2913)
1285.50	am	(P-274 (E-651)	1400.70	am	(P-2913)
1285.55	n	(P-8571/88; A-483)	1400.80	am	(P-2913)
1285.60	n	(P-8571/88; A-483)	1400.90	am	(P-2913)
1285.70	am	(P-274 (E-651)	1465.10	n	(P-1388 (E-1616)
1285.75	n	(P-8571/88; A-483)	1465.20	n	(P-1388 (E-1616)
1285.80	n	(P-8571/88; A-483)	1465.30	n	(P-1388 (E-1616)
1285.90	am	(P-274 (E-651)	1465.40	n	(P-1388 (E-1616)
1285.95	n	(P-8571/88; A-483)	1465.50	n	(P-1388 (E-1616)
1285.100	n	(P-274 (E-651)	1465.60	n	(P-1388 (E-1616)
1285.110	n	(P-8571/88; A-483)	1465.70	n	(P-1388)
1285.115	n	(P-8571/88; A-483)	1465.80	n	(P-1388)
1285.120	n	(P-8571/88; A-483)	1470.5	n	(P-5426 (E-5771)
1285.130	n	(P-8571/88; A-483)	1470.7	n	(P-5426 (E-5771)
1285.140	n	(P-8571/88; A-483)	1470.10	am	(E-5771)
1320.20	am	(P-8606/88; A-6994)	1470.15	r	(P-5426)
1320.30	am	(P-8606/88; A-6994)	1470.20	n	(P-5426)
1320.40	am	(P-8606/88; A-6994)	1470.25	r	(E-5771)
1320.50	am	(P-8606/88; A-6994)	1470.30	n	(E-5771)
1320.55	am	(P-8606/88; A-6994)	1470.40	am	(P-5426)
1320.60	am	(P-8606/88; A-6994)	1470.45	r	(P-5426)
1320.70	am	(P-8606/88; A-6994)	1470.50	r	(P-5426)
1320.80	am	(P-8606/88; A-6994)	1470.60	r	(P-5426)
1320.90	am	(P-8606/88; A-6994)	1470.65	n	(P-5426)
1320.95	n	(P-8606/88; A-6994)	1470.70	am	(E-5771)
1320.100	am	(P-8606/88; A-6994)	1470.75	am	(P-5426)
1320.110	am	(P-8606/88; A-6994)	1470.80	am	(P-5426)
1320.250	n	(P-8606/88; A-6994)	1470.90	am	(P-5426)
1320.310	am	(P-8606/88; A-6994)	1470.100	am	(P-5426)
1360.10	r	(P-14963/88; A-4234)	1480.20	am	(E-5781 (P-5424)
1360.20	am	(P-14963/88; A-4234)	1500.10	am	(P-18100/88; A-3826)
1360.30	am	(P-14963/88; A-4234)	1500.11	am	(P-18100/88; A-3826)
1360.40	am	(P-14963/88; A-4234)			
1360.45	n	(P-14963/88; A-4234)			
1360.50	am	(P-14963/88; A-4234)			
1360.55	am	(P-14963/88; A-4234)			
1360.60	am	(P-14963/88; A-4234)			
1360.65	am	(P-14963/88; A-4234)			
1360.70	am	(P-14963/88; A-4234)			
1360.75	am	(P-14963/88; A-4234)			
1360.80	am	(P-14963/88; A-4234)			
1360.85	am	(P-14963/88; A-4234)			
1360.90	am	(P-14963/88; A-4234)			
1360.95	am	(P-14963/88; A-4234)			
1361.00	am	(P-14963/88; A-4234)			
1361.05	am	(P-14963/88; A-4234)			
1361.10	am	(P-14963/88; A-4234)			
1361.15	am	(P-14963/88; A-4234)			
1361.20	am	(P-14963/88; A-4234)			
1361.25	am	(P-14963/88; A-4234)			
1361.30	am	(P-14963/88; A-4234)			
1361.35	am	(P-14963/88; A-4234)			
1361.40	am	(P-14963/88; A-4234)			
1361.45	am	(P-14963/88; A-4234)			
1361.50	am	(P-14963/88; A-4234)			
1361.55	am	(P-14963/88; A-4234)			
1361.60	am	(P-14963/88; A-4234)			
1361.65	am	(P-14963/88; A-4234)			
1361.70	am	(P-14963/88; A-4234)			
1361.75	am	(P-14963/88; A-4234)			
1361.80	am	(P-14963/88; A-4234)			
1361.85	am	(P-14963/88; A-4234)			
1361.90	am	(P-14963/88; A-4234)			
1361.95	am	(P-14963/88; A-4234)			
1362.00	am	(P-14963/88; A-4234)			
1362.05	am	(P-14963/88; A-4234)			
1362.10	am	(P-14963/88; A-4234)			
1362.15	am	(P-14963/88; A-4234)			
1362.20	am	(P-14963/88; A-4234)			
1362.25	am	(P-14963/88; A-4234)			
1362.30	am	(P-14963/88; A-4234)			
1362.35	am	(P-14963/88; A-4234)			
1362.40	am	(P-14963/88; A-4234)			
1362.45	am	(P-14963/88; A-4234)			
1362.50	am	(P-14963/88; A-4234)			
1362.55	am	(P-14963/88; A-4234)			
1362.60	am	(P-14963/88; A-4234)			
1362.65	am	(P-14963/88; A-4234)			
1362.70	am	(P-14963/88; A-4234)			
1362.75	am	(P-14963/88; A-4234)			
1362.80	am	(P-14963/88; A-4234)			
1362.85	am	(P-14963/88; A-4234)			
1362.90	am	(P-14963/88; A-4234)			
1362.95	am	(P-14963/88; A-4234)			
1363.00	am	(P-14963/88; A-4234)			
1363.05	am	(P-14963/88; A-4234)			
1363.10	am	(P-14963/88; A-4234)			
1363.15	am	(P-14963/88; A-4234)			
1363.20	am	(P-14963/88; A-4234)			
1363.25	am	(P-14963/88; A-4234)			
1363.30	am	(P-14963/88; A-4234)			
1363.35	am	(P-14963/88; A-4234)			
1363.40	am	(P-14963/88; A-4234)			
1363.45	am	(P-14963/88; A-4234)			
1363.50	am	(P-14963/88; A-4234)			
1363.55	am	(P-14963/88; A-4234)			
1363.60	am	(P-14963/88; A-4234)			
1363.65	am	(P-14963/88; A-4234)			
1363.70	am	(P-14963/88; A-4234)			
1363.75	am	(P-14963/88; A-4234)			
1363.80	am	(P-14963/88; A-4234)			
1363.85	am	(P-14963/88; A-4234)			
1363.90	am	(P-14963/88; A-4234)			
1363.95	am	(P-14963/88; A-4234)			
1364.00	am	(P-14963/88; A-4234)			
1364.05	am	(P-14963/88; A-4234)			
1364.10	am	(P-14963/88; A-4234)			
1364.15	am	(P-14963/88; A-4234)			
1364.20	am	(P-14963/88; A-4234)			
1364.25	am	(P-14963/88; A-4234)			
1364.30	am	(P-14963/88; A-4234)			
1364.35	am	(P-14963/88; A-4234)			
1364.40	am	(P-14963/88; A-4234)			
1364.45	am	(P-14963/88; A-4234)			
1364.50	am	(P-14963/88; A-4234)			
1364.55	am	(P-14963/88; A-4234)			
1364.60	am	(P-14963/88; A-4234)			
1364.65	am	(P-14963/88; A-4234)			
1364.70	am	(P-14963/88; A-4234)			
1364.75	am	(P-14963/88; A-4234)			
1364.80	am	(P-14963/88; A-4234)			
1364.85	am	(P-14963/88; A-4234)			
1364.90	am	(P-14963/88; A-4234)			
1364.95	am	(P-14963/88; A-4234)			
1365.00	am	(P-14963/88; A-4234)			
1365.05	am	(P-14963/88; A-4234)			
1365.10	am	(P-14963/88; A-4234)			
1365.15	am	(P-14963/88; A-4234)			
1365.20	am	(P-14963/88; A-4234)			
1365.25	am	(P-14963/88; A-4234)			
1365.30	am	(P-14963/88; A-4234)			
1365.35	am	(P-14963/88; A-4234)			
1365.40	am	(P-14963/88; A-4234)			
1365.45	am	(P-14963/88; A-4234)			
1365.50	am	(P-14963/88; A-4234)			
1365.55	am	(P-14963/88; A-4234)			
1365.60	am	(P-14963/88; A-4234)			
1365.65	am	(P-14963/88; A-4234)			
1365.70	am	(P-14963/88; A-4234)			
1365.75	am	(P-14963/88; A-4234)			
1365.80	am	(P-14963/88; A-4234)			
1365.85	am	(P-14963/88; A-4234)			
1365.90	am	(P-14963/88; A-4234)			
1365.95	am	(P-14963/88; A-4234)			
1366.00	am	(P-14963/88; A-4234)			
1366.05	am	(P-14963/88; A-4234)			
1366.10	am	(P-14963/88; A-4234)			
1366.15	am	(P-14963/88; A-4234)			
1366.20	am	(P-14963/88; A-4234)			
1366.25	am	(P-14963/88; A-4234)			
1366.30	am	(P-14963/88; A-4234)			
1366.35	am	(P-14963/88; A-4234)			
1366.40	am	(P-14963/88; A-4234)			
1366.45	am	(P-14963/88; A-4234)			
1366.50	am	(P-14963/88; A-4234)			
1366.55	am	(P-14963/88; A-4234)			
1366.60	am	(P-14963/88; A-4234)			
1366.65	am	(P-14963/88; A-4234)			
1366.70	am	(P-14963/88; A-4234)			
1366.75	am	(P-14963/88; A-4234)			
1366.80	am	(P-14963/88; A-4234)			
1366.85	am	(P-14963/88; A-4234)			
1366.90	am	(P-14963/88; A-4234)			
1366.95	am	(P-14963/88; A-4234)			
1367.00	am	(P-14963/88; A-4234)			
1367.05	am	(P-14963/88; A-4234)			
1367.10	am	(P-14963/88; A-4234)			
1367.15	am	(P-14963/88; A-4234)			
1367.20	am	(P-14963/88; A-4234)			
1367.25	am	(P-14963/88; A-4234)			
1367.30	am	(P-14963/88; A-4234)			
1367.35	am	(P-14963/88; A-4234)			
1367.40	am	(P-14963/88; A-4234)			
1367.45	am	(P-14963/88; A-4234)			
1367.50	am	(P-14963/88; A-4234)			
1367.55	am	(P-14963/88; A-4234)			
1367.60	am	(P-14963/88; A			

TITLE 71 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
1510.100	n	(P-14813/88; O-3442; R-5210; A-5098)	200.301	r	(P-17673/88; A-4681)	200.905	r	(P-17673/88; A-4681)	300.240	am	(P-21333/88; A-4684)
			200.302	r	(P-17673/88; A-4681)	200.906	r	(P-17673/88; A-4681)	300.250	am	(P-21333/88; A-4684)
1510.110	n	(P-14813/88; O-3442; R-5210; A-5098)	200.303	r	(P-17673/88; A-4681)	200.907	r	(P-17673/88; A-4681)	300.260	am	(P-21333/88; A-4684)
			200.401	r	(P-17673/88; A-4681)	200.908	r	(P-17673/88; A-4681)	300.270	am	(P-21333/88; A-4684)
1510.120	n	(P-14813/88; O-3442; R-5210; A-5098)	200.402	r	(P-17673/88; A-4681)	200.909	r	(P-17673/88; A-4681)	300.272	am	(P-21333/88; A-4684)
			200.403	r	(P-17673/88; A-4681)	200.910	r	(P-17673/88; A-4681)	300.274	am	(P-21333/88; A-4684)
1510.130	n	(P-14813/88; O-3442; R-5210; A-5098)	200.404	r	(P-17673/88; A-4681)	200.911	r	(P-17673/88; A-4681)	300.276	am	(P-21333/88; A-4684)
			200.405	r	(P-17673/88; A-4681)	200.912	r	(P-17673/88; A-4681)	300.277	n	(P-21333/88; A-4684)
1510.140	n	(P-14813/88; O-3442; R-5210; A-5098)	200.406	r	(P-17673/88; A-4681)	200.913	r	(P-17673/88; A-4681)	300.278	am	(P-21333/88; A-4684)
			200.501	r	(P-17673/88; A-4681)	200.914	r	(P-17673/88; A-4681)	300.280	am	(P-21333/88; A-4684)
1510.150	n	(P-14813/88; O-3442; R-5210; A-5098)	200.502	r	(P-17673/88; A-4681)	200.915	r	(P-17673/88; A-4681)	300.282	am	(P-21333/88; A-4684)
			200.503	r	(P-17673/88; A-4681)	200.916	r	(P-17673/88; A-4681)	300.284	am	(P-21333/88; A-4684)
1510.200	n	(P-14813/88; O-3442; R-5210; A-5098)	200.504	r	(P-17673/88; A-4681)	200.917	r	(P-17673/88; A-4681)	300.286	am	(P-21333/88; A-4684)
			200.601	r	(P-17673/88; A-4681)	200.918	r	(P-17673/88; A-4681)	300.288	am	(P-21333/88; A-4684)
1510.210	n	(P-14813/88; O-3442; R-5210; A-5098)	200.602	r	(P-17673/88; A-4681)	200.919	r	(P-17673/88; A-4681)	300.290	am	(P-21333/88; A-4684)
			200.603	r	(P-17673/88; A-4681)	200.920	r	(P-17673/88; A-4681)	300.300	am	(P-21333/88; A-4684)
1510.220	n	(P-14813/88; O-3442; R-5210; A-5098)	200.604	r	(P-17673/88; A-4681)	200.921	r	(P-17673/88; A-4681)	300.310	am	(P-21333/88; A-4684)
			200.605	r	(P-17673/88; A-4681)	200.922	r	(P-17673/88; A-4681)	300.320	am	(P-21333/88; A-4684)
1510.300	n	(P-14813/88; O-3442; R-5210; A-5098)	200.701	r	(P-17673/88; A-4681)	200.923	r	(P-17673/88; A-4681)	300.330	am	(P-21333/88; A-4684)
			200.702	r	(P-17673/88; A-4681)	200.924	r	(P-17673/88; A-4681)	300.340	am	(P-21333/88; A-4684)
1510.310	n	(P-14813/88; O-3442; R-5210; A-5098)	200.703	r	(P-17673/88; A-4681)	200.925	r	(P-17673/88; A-4681)	300.350	am	(P-21333/88; A-4684)
			200.704	r	(P-17673/88; A-4681)	200.926	r	(P-17673/88; A-4681)	300.610	am	(P-21333/88; A-4684)
1510.320	n	(P-14813/88; O-3442; R-5210; A-5098)	200.705	r	(P-17673/88; A-4681)	200.927	r	(P-17673/88; A-4681)	300.620	am	(P-21333/88; A-4684)
			200.706	r	(P-17673/88; A-4681)	200.928	r	(P-17673/88; A-4681)			
1510.330	n	(P-14813/88; O-3442; R-5210; A-5098)	200.707	r	(P-17673/88; A-4681)	200.929	r	(P-17673/88; A-4681)	300.630	am	(P-21333/88; A-4684)
			200.708	r	(P-17673/88; A-4681)	200.930	r	(P-17673/88; A-4681)	300.640	am	(P-21333/88; A-4684)
1510.340	n	(P-14813/88; O-3442; R-5210; A-5098)	200.801	r	(P-17673/88; A-4681)	200.931	r	(P-17673/88; A-4681)	300.650	am	(P-21333/88; A-4684)
			200.802	r	(P-17673/88; A-4681)	200.932	r	(P-17673/88; A-4681)	300.655	n	(P-21333/88; A-4684)
1510.350	n	(P-14813/88; O-3442; R-5210; A-5098)	200.803	r	(P-17673/88; A-4681)	200.933	r	(P-17673/88; A-4681)	300.670	am	(P-21333/88; A-4684)
			200.804	r	(P-17673/88; A-4681)	200.1001	r	(P-17673/88; A-4681)	300.680	am	(P-21333/88; A-4684)
1510.Ap. A	n	(P-14813/88; O-3442; R-5210; A-5098)	200.805	r	(P-17673/88; A-4681)	200.1002	r	(P-17673/88; A-4681)	300.690	am	(P-21333/88; A-4684)
			200.806	r	(P-17673/88; A-4681)	200.1003	r	(P-17673/88; A-4681)	300.810	am	(P-21333/88; A-4684)
1510.Ap. B	n	(P-14813/88; O-3442; R-5210; A-5098)	200.807	r	(P-17673/88; A-4681)	200.1004	r	(P-17673/88; A-4681)	300.820	am	(P-21333/88; A-4684)
			200.808	r	(P-17673/88; A-4681)	200.1005	r	(P-17673/88; A-4681)	300.830	am	(P-21333/88; A-4684)
			200.809	r	(P-17673/88; A-4681)	200.1006	r	(P-17673/88; A-4681)	300.840	am	(P-21333/88; A-4684)
			200.810	r	(P-17673/88; A-4681)	200.1007	r	(P-17673/88; A-4681)	300.1010	am	(P-21333/88; A-4684)
280.10	am	(P-19259/88; A-4664)	200.811	r	(P-17673/88; A-4681)	200.1008	r	(P-17673/88; A-4681)	300.1020	am	(P-13581/88; A-5134)
280.20	am	(P-5314)	200.812	r	(P-17673/88; A-4681)	250.150	am	(P-7875)	300.1025	n	(P-13581/88; A-5134)
280.30	am	(P-19259/88; A-4664)	200.813	r	(P-17673/88; A-4681)	250.315	n	(P-7875)	300.1030	am	(P-13581/88; A-5134)
280.Ap.A	n	(P-19259/88; A-4664)	200.814	r	(P-17673/88; A-4681)	250.330	am	(P-7875)	300.1040	am	(P-21333/88; A-4684)
280.Ap.B	n	(P-19259/88; A-4664)	200.815	r	(P-17673/88; A-4681)	250.2140	am	(P-7875)	300.1050	am	(P-21333/88; A-4684)
			200.816	r	(P-17673/88; A-4681)	300.110	am	(P-21333/88; A-4684)	300.1210	am	(P-21333/88; A-4684)
			200.817	r	(P-17673/88; A-4681)	300.120	am	(P-21333/88; A-4684)	300.1220	am	(P-21333/88; A-4684)
200.100	r	(P-17673/88; A-4681)	200.818	r	(P-17673/88; A-4681)	300.130	am	(P-21333/88; A-4684)	300.1230	am	(P-21333/88; A-4684)
200.101	r	(P-17673/88; A-4681)	200.819	r	(P-17673/88; A-4681)	300.140	am	(P-21333/88; A-4684)	300.1240	am	(P-21333/88; A-4684)
200.150	r	(P-17673/88; A-4681)	200.820	r	(P-17673/88; A-4681)	300.150	am	(P-21333/88; A-4684)	300.1410	am	(P-21333/88; A-4684)
200.201	r	(P-17673/88; A-4681)	200.821	r	(P-17673/88; A-4681)	300.160	am	(P-21333/88; A-4684)	300.1420	am	(P-21333/88; A-4684)
200.202	r	(P-17673/88; A-4681)	200.822	r	(P-17673/88; A-4681)	300.165	am	(P-21333/88; A-4684)	300.1430	am	(P-21333/88; A-4684)
200.203	r	(P-17673/88; A-4681)	200.823	r	(P-17673/88; A-4681)	300.170	am	(P-21333/88; A-4684)	300.1610	am	(P-21333/88; A-4684)
200.204	r	(P-17673/88; A-4681)	200.824	r	(P-17673/88; A-4681)	300.175	am	(P-21333/88; A-4684)	300.1620	am	(P-21333/88; A-4684)
200.205	r	(P-17673/88; A-4681)	200.825	r	(P-17673/88; A-4681)	300.180	am	(P-21333/88; A-4684)	300.1630	am	(P-21333/88; A-4684)
200.206	r	(P-17673/88; A-4681)	200.826	r	(P-17673/88; A-4681)	300.190	am	(P-21333/88; A-4684)	300.1640	am	(P-21333/88; A-4684)
200.207	r	(P-17673/88; A-4681)	200.901	r	(P-17673/88; A-4681)	300.200	am	(P-21333/88; A-4684)	300.1650	am	(P-21333/88; A-4684)
200.208	r	(P-17673/88; A-4681)	200.902	r	(P-17673/88; A-4681)	300.210	am	(P-21333/88; A-4684)	300.1810	am	(P-21333/88; A-4684)
200.209	r	(P-17673/88; A-4681)	200.903	r	(P-17673/88; A-4681)	300.220	am	(P-21333/88; A-4684)	300.1820	am	(P-21333/88; A-4684)
200.210	r	(P-17673/88; A-4681)	200.904	r	(P-17673/88; A-4681)	300.230	am	(P-21333/88; A-4684)	300.1830	am	(P-21333/88; A-4684)

[illegible]

TITLE 77 (CONT'D)

350.2710	am	(P-21621/88; A-6040)
350.2720	am	(P-21621/88; A-6040)
350.2730	am	(P-21621/88; A-6040)
350.2740	am	(P-21621/88; A-6040)
350.2910	am	(P-21621/88; A-6040)
350.2920	am	(P-21621/88; A-6040)
350.2930	am	(P-21621/88; A-6040)
350.2940	am	(P-21621/88; A-6040)
350.2950	am	(P-21621/88; A-6040)
350.2960	am	(P-21621/88; A-6040)
350.2970	am	(P-21621/88; A-6040)
350.2980	am	(P-21621/88; A-6040)
350.2990	am	(P-21621/88; A-6040)
350.3000	am	(P-21621/88; A-6040)
350.3010	am	(P-21621/88; A-6040)
350.3020	am	(P-21621/88; A-6040)
350.3030	am	(P-21621/88; A-6040)
350.3040	am	(P-21621/88; A-6040)
350.3240	am	(P-21621/88; A-6040)
350.3250	am	(P-21621/88; A-6040)
350.3260	am	(P-21621/88; A-6040)
350.3270	am	(P-21621/88; A-6040)
350.3280	am	(P-21621/88; A-6040)
350.3290	am	(P-21621/88; A-6040)
350.3300	am	(P-21621/88; A-6040)
350.3310	am	(P-21621/88; A-6040)
350.3320	am	(P-21621/88; A-6040)
350.3330	am	(P-21621/88; A-6040)
350.3340	am	(P-21621/88; A-6040)
350.3350	am	(P-21621/88; A-6040)
350.3360	am	(P-21621/88; A-6040)
350.3370	am	(P-21621/88; A-6040)
350.3380	am	(P-21621/88; A-6040)
350.3390	am	(P-21621/88; A-6040)
350.3400	am	(P-21621/88; A-6040)
350.3410	am	(P-21621/88; A-6040)
350.3420	am	(P-21621/88; A-6040)
350.3430	am	(P-21621/88; A-6040)
350.3440	am	(P-21621/88; A-6040)
350.3450	am	(P-21621/88; A-6040)
350.3460	am	(P-21621/88; A-6040)
350.3470	am	(P-21621/88; A-6040)
350.3480	am	(P-21621/88; A-6040)
350.3490	am	(P-21621/88; A-6040)
350.3495	am	(P-21621/88; A-6040)
350.3500	am	(P-21621/88; A-6040)
350.3510	am	(P-21621/88; A-6040)
350.3520	am	(P-21621/88; A-6040)
350.3530	am	(P-21621/88; A-6040)
350.3540	am	(P-21621/88; A-6040)

TITLE 77 (CONT'D)

330.4280	am	(P-21893/88; A-6562)
330.4300	am	(P-21893/88; A-6562)
330.4310	am	(P-21893/88; A-6562)
330.4320	am	(P-21893/88; A-6562)
330.4330	am	(P-21893/88; A-6562)
330.4510	am	(P-21893/88; A-6562)
350.110	am	(P-21621/88; A-6040)
350.120	am	(P-21621/88; A-6040)
350.130	am	(P-21621/88; A-6040)
350.140	am	(P-21621/88; A-6040)
350.150	am	(P-21621/88; A-6040)
350.160	am	(P-21621/88; A-6040)
350.165	am	(P-21621/88; A-6040)
350.170	am	(P-21621/88; A-6040)
350.175	am	(P-21621/88; A-6040)
350.180	am	(P-21621/88; A-6040)
350.190	am	(P-21621/88; A-6040)
350.200	am	(P-21621/88; A-6040)
350.210	am	(P-21621/88; A-6040)
350.220	am	(P-21621/88; A-6040)
350.230	am	(P-21621/88; A-6040)
350.240	am	(P-21621/88; A-6040)
350.250	am	(P-21621/88; A-6040)
350.260	am	(P-21621/88; A-6040)
350.270	am	(P-21621/88; A-6040)
350.272	am	(P-21621/88; A-6040)
350.274	am	(P-21621/88; A-6040)
350.276	am	(P-21621/88; A-6040)
350.277	n	(P-21621/88; A-6040)
350.278	am	(P-21621/88; A-6040)
350.280	am	(P-21621/88; A-6040)
350.282	am	(P-21621/88; A-6040)
350.284	am	(P-21621/88; A-6040)
350.286	am	(P-21621/88; A-6040)
350.288	am	(P-21621/88; A-6040)
350.290	am	(P-21621/88; A-6040)
350.300	am	(P-21621/88; A-6040)
350.310	am	(P-21621/88; A-6040)
350.320	am	(P-21621/88; A-6040)
350.330	am	(P-21621/88; A-6040)
350.340	am	(P-21621/88; A-6040)
350.350	am	(P-21621/88; A-6040)
350.360	am	(P-21621/88; A-6040)
350.370	am	(P-21621/88; A-6040)
350.380	am	(P-21621/88; A-6040)
350.390	am	(P-21621/88; A-6040)
350.400	am	(P-21621/88; A-6040)
350.410	am	(P-21621/88; A-6040)
350.420	am	(P-21621/88; A-6040)
350.430	am	(P-21621/88; A-6040)
350.440	am	(P-21621/88; A-6040)
350.450	am	(P-21621/88; A-6040)
350.460	am	(P-21621/88; A-6040)
350.470	am	(P-21621/88; A-6040)
350.480	am	(P-21621/88; A-6040)
350.490	am	(P-21621/88; A-6040)
350.495	am	(P-21621/88; A-6040)
350.500	am	(P-21621/88; A-6040)
350.510	am	(P-21621/88; A-6040)
350.520	am	(P-21621/88; A-6040)
350.530	am	(P-21621/88; A-6040)
350.540	am	(P-21621/88; A-6040)

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TITLE 77 (CONT'D)

390.1670	am	(P-21064/88; A-6301)	390.3240	am	(P-21064/88; A-6301)
390.1680	am	(P-21064/88; A-6301)	390.3250	am	(P-21064/88; A-6301)
390.1690	am	(P-21064/88; A-6301)	390.3260	am	(P-21064/88; A-6301)
390.1810	am	(P-21064/88; A-6301)	390.3270	am	(P-21064/88; A-6301)
390.1820	am	(P-21064/88; A-6301)	390.3280	am	(P-21064/88; A-6301)
390.1830	am	(P-21064/88; A-6301)	390.3290	am	(P-21064/88; A-6301)
390.1840	am	(P-21064/88; A-6301)	390.3300	am	(P-21064/88; A-6301)
390.1850	am	(P-21064/88; A-6301)	390.3310	am	(P-21064/88; A-6301)
390.1860	am	(P-21064/88; A-6301)	390.3320	am	(P-21064/88; A-6301)
390.1870	am	(P-21064/88; A-6301)	390.3330	am	(P-21064/88; A-6301)
390.1880	am	(P-21064/88; A-6301)	390.3350	am	(P-21064/88; A-6301)
390.1890	am	(P-21064/88; A-6301)	390.Ap-A	am	(P-21064/88; A-6301)
390.1900	am	(P-21064/88; A-6301)	450.05	n	(P-2249)
390.1910	am	(P-21064/88; A-6301)	450.10	n	(P-2249)
390.1920	am	(P-21064/88; A-6301)	450.20	am	(P-2249)
390.2010	am	(P-21064/88; A-6301)	450.30	am	(P-2249)
390.2020	am	(P-21064/88; A-6301)	450.35	n	(P-2249)
390.2030	am	(P-21064/88; A-6301)	450.40	n	(P-2249)
390.2040	am	(P-21064/88; A-6301)	450.50	n	(P-2249)
390.2050	am	(P-21064/88; A-6301)	450.210	am	(P-2249)
390.2220	am	(P-21064/88; A-6301)	450.220	am	(P-2249)
390.2230	am	(P-21064/88; A-6301)	450.230	am	(P-2249)
390.2410	am	(P-21064/88; A-6301)	450.240	am	(P-2249)
390.2420	am	(P-21064/88; A-6301)	450.310	am	(P-2249)
390.2430	am	(P-21064/88; A-6301)	450.320	am	(P-2249)
390.2440	am	(P-21064/88; A-6301)	450.330	am	(P-2249)
390.2610	am	(P-21064/88; A-6301)	450.410	am	(P-2249)
390.2620	am	(P-21064/88; A-6301)	450.420	am	(P-2249)
390.2630	am	(P-21064/88; A-6301)	450.430	am	(P-2249)
390.2640	am	(P-21064/88; A-6301)	450.440	am	(P-2249)
390.2650	am	(P-21064/88; A-6301)	450.440	n	(P-19327/88; A-4285)
390.2660	am	(P-21064/88; A-6301)	450.450	am	(P-2249)
390.2670	am	(P-21064/88; A-6301)	450.450	n	(P-19327/88; A-4285)
390.2680	am	(P-21064/88; A-6301)	450.510	am	(P-2249)
390.2690	am	(P-21064/88; A-6301)	450.520	am	(P-2249)
390.2700	am	(P-21064/88; A-6301)	450.530	r	(P-2249)
390.2710	am	(P-21064/88; A-6301)	450.540	r	(P-2249)
390.2720	am	(P-21064/88; A-6301)	450.550	r	(P-2249)
390.2730	am	(P-21064/88; A-6301)	450.560	r	(P-2249)
390.2740	am	(P-21064/88; A-6301)	450.570	r	(P-2249)
390.2910	am	(P-21064/88; A-6301)	450.610	am	(P-2249)
390.2920	am	(P-21064/88; A-6301)	450.710	am	(P-2249)
390.2930	am	(P-21064/88; A-6301)	450.720	am	(P-2249)
390.2940	am	(P-21064/88; A-6301)	450.730	am	(P-2249)
390.2950	am	(P-21064/88; A-6301)	450.810	r	(P-2249)
390.2960	am	(P-21064/88; A-6301)	450.820	r	(P-2249)
390.2970	am	(P-21064/88; A-6301)	450.830	r	(P-2249)
390.2980	am	(P-21064/88; A-6301)	450.835	r	(P-2249)
390.2990	am	(P-21064/88; A-6301)	450.840	r	(P-2249)
390.3000	am	(P-21064/88; A-6301)	450.845	r	(P-2249)
390.3010	am	(P-21064/88; A-6301)	450.848	r	(P-2249)
390.3020	am	(P-21064/88; A-6301)	450.850	r	(P-2249)
390.3030	am	(P-21064/88; A-6301)	450.860	r	(P-2249)
390.3040	am	(P-21064/88; A-6301)	450.870	r	(P-2249)
390.3210	am	(P-21064/88; A-6301)	450.920	am	(P-2249)
390.3220	am	(P-21064/88; A-6301)	450.930	am	(P-2249)
390.3230	am	(P-21064/88; A-6301)	450.940	am	(P-2249)

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TITLE 77 (CONT'D)		TITLE 77 (CONT'D)			
380,550	n	(P-987; W-8123)	390,274	am	(P-21064/88; A-6301)
380,560	n	(P-987; W-8123)	390,276	am	(P-21064/88; A-6301)
380,570	n	(P-987; W-8123)	390,277	n	(P-21064/88; A-6301)
380,580	n	(P-987; W-8123)	390,278	am	(P-21064/88; A-6301)
380,590	n	(P-987; W-8123)	390,280	am	(P-21064/88; A-6301)
380,600	n	(P-987; W-8123)	390,282	am	(P-21064/88; A-6301)
380,610	n	(P-987; W-8123)	390,284	am	(P-21064/88; A-6301)
380,620	n	(P-987; W-8123)	390,286	am	(P-21064/88; A-6301)
380,630	n	(P-987; W-8123)	390,288	am	(P-21064/88; A-6301)
380,640	n	(P-987; W-8123)	390,290	am	(P-21064/88; A-6301)
380,650	n	(P-987; W-8123)	390,300	am	(P-21064/88; A-6301)
380,660	n	(P-987; W-8123)	390,310	am	(P-21064/88; A-6301)
380,670	n	(P-987; W-8123)	390,320	am	(P-21064/88; A-6301)
380,680	n	(P-987; W-8123)	390,330	am	(P-21064/88; A-6301)
380,690	n	(P-987; W-8123)	390,340	am	(P-21064/88; A-6301)
380,700	n	(P-987; W-8123)	390,500	am	(P-21064/88; A-6301)
380,710	n	(P-987; W-8123)	390,610	am	(P-21064/88; A-6301)
380,720	n	(P-987; W-8123)	390,620	am	(P-21064/88; A-6301)
380,730	n	(P-987; W-8123)	390,630	am	(P-21064/88; A-6301)
380,740	n	(P-987; W-8123)	390,640	am	(P-21064/88; A-6301)
380,750	n	(P-987; W-8123)	390,650	am	(P-21064/88; A-6301)
380,760	n	(P-987; W-8123)	390,660	am	(P-21064/88; A-6301)
380,770	n	(P-987; W-8123)	390,670	am	(P-21064/88; A-6301)
380,780	n	(P-987; W-8123)	390,675	n	(P-21064/88; A-6301)
380,790	n	(P-987; W-8123)	390,690	am	(P-21064/88; A-6301)
380,800	n	(P-987; W-8123)	390,700	am	(P-21064/88; A-6301)
380,810	n	(P-987; W-8123)	390,810	am	(P-21064/88; A-6301)
380,820	n	(P-987; W-8123)	390,820	am	(P-21064/88; A-6301)
380,830	n	(P-987; W-8123)	390,830	am	(P-21064/88; A-6301)
380,840	n	(P-987; W-8123)	390,1010	am	(P-21064/88; A-6301)
380,850	n	(P-987; W-8123)	390,1020	am	(P-21064/88; A-6301)
380,860	n	(P-987; W-8123)	390,1030	am	(P-21064/88; A-6301)
380,870	n	(P-987; W-8123)	390,1035	n	(P-21064/88; A-6301)
380,880	n	(P-987; W-8123)	390,1040	am	(P-21064/88; A-6301)
380,890	n	(P-987; W-8123)	390,1050	am	(P-21064/88; A-6301)
380,900	n	(P-987; W-8123)	390,1060	am	(P-21064/88; A-6301)
380,910	n	(P-987; W-8123)	390,1070	am	(P-21064/88; A-6301)
390,110	am	(P-21064/88; A-6301)	390,1080	am	(P-21064/88; A-6301)
390,120	am	(P-21064/88; A-6301)	390,1090	am	(P-21064/88; A-6301)
390,130	am	(P-21064/88; A-6301)	390,1100	am	(P-21064/88; A-6301)
390,140	am	(P-21064/88; A-6301)	390,1110	am	(P-21064/88; A-6301)
390,150	am	(P-21064/88; A-6301)	390,1120	am	(P-21064/88; A-6301)
390,160	am	(P-21064/88; A-6301)	390,1310	am	(P-21064/88; A-6301)
390,170	am	(P-21064/88; A-6301)	390,1320	am	(P-21064/88; A-6301)
390,175	am	(P-21064/88; A-6301)	390,1330	am	(P-21064/88; A-6301)
390,180	am	(P-21064/88; A-6301)	390,1410	am	(P-21064/88; A-6301)
390,190	am	(P-21064/88; A-6301)	390,1420	am	(P-21064/88; A-6301)
390,200	am	(P-21064/88; A-6301)	390,1430	am	(P-21064/88; A-6301)
390,210	am	(P-21064/88; A-6301)	390,1440	am	(P-21064/88; A-6301)
390,220	am	(P-21064/88; A-6301)	390,1450	am	(P-21064/88; A-6301)
390,230	am	(P-21064/88; A-6301)	390,1610	am	(P-21064/88; A-6301)
390,240	am	(P-21064/88; A-6301)	390,1620	am	(P-21064/88; A-6301)
390,250	am	(P-21064/88; A-6301)	390,1630	am	(P-21064/88; A-6301)
390,260	am	(P-21064/88; A-6301)	390,1640	am	(P-21064/88; A-6301)
390,270	am	(P-21064/88; A-6301)	390,1650	am	(P-21064/88; A-6301)
390,272	am	(P-21064/88; A-6301)	390,1660	am	(P-21064/88; A-6301)

TITLE 77 (CONT'D)		TITLE 77 (CONT'D)		TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
450.950	am (P-2249)	535.410	am (P-4126)	635.90	am (P-5505)	725.30	n (P-727288; A-2502)
450.1010	am (P-2249)	535.420	am (P-4126)	635.110	am (P-5505)	725.40	r (P-726588; A-2517)
450.1110	am (P-2249)	535.430	am (P-4126)	635.130	am (P-5505)	725.40	n (P-727288; A-2502)
450.1120	am (P-2249)	535.800	n (P-4126)	635.140	am (P-5505)	725.41	n (P-727288; A-2502)
450.1130	am (P-2249)	535.810	n (P-4126)	635.150	am (P-5505)	725.42	n (P-727288; A-2502)
450.1140	am (P-2249)	535.820	n (P-4126)	635.160	am (P-5505)	725.43	n (P-727288; A-2502)
450.1150	am (P-2249)	535.830	n (P-4126)	635.170	am (P-5505)	725.44	n (P-727288; A-2502)
450.1155	am (P-2249)	535.840	n (P-4126)	635.180	am (P-5505)	725.45	r (P-726588; A-2517)
450.1200	am (P-2249)	535.850	n (P-4126)	635.190	n (P-5505)	725.50	r (P-726588; A-2517)
450.1300	am (P-2249)	535.860	n (P-4126)	635.Ap. A	n (P-5505)	725.50	n (P-727288; A-2502)
450.1300	n (P-1932788; A-4285)	535.870	n (P-4126)	635.Ap. B	n (P-5505)	725.51	n (P-727288; A-2502)
450.1310	am (P-2249)	535.900	n (P-4500)	635.Ap. C	n (P-5505)	725.60	r (P-726588; A-2517)
450.1310	n (P-1932788; A-4285)	535.910	n (P-4500)	661.10	am (P-3599)	725.60	r (P-727288; A-2502)
450.1320	am (P-2249)	535.920	n (P-4500)	661.15	am (P-3599)	725.65	r (P-726588; A-2517)
450.1320	n (P-1932788; A-4285)	535.930	n (P-4500)	661.20	am (P-3599)	725.70	r (P-726588; A-2517)
450.1330	am (P-2249)	535.931	n (P-4500)	661.35	am (P-3599)	725.70	n (P-727288; A-2502)
450.1330	n (P-1932788; A-4285)	535.932	n (P-4500)	661.40	am (P-3599)	725.71	n (P-727288; A-2502)
450.Ap. A	n (P-2249)	535.933	n (P-4500)	661.50	am (P-3599)	725.80	r (P-726588; A-2517)
450.Ap. B	n (P-2249)	535.934	n (P-4500)	694.10	n (P-5491)	725.80	n (P-727288; A-2502)
490.10	n (P-2974)	535.935	n (P-4500)	694.20	n (P-5491)	750.10	am (P-1411388; A-1819)
490.20	n (P-2974)	535.936	n (P-4500)	694.100	n (P-5491)	750.10	am (P-6888)
490.30	n (P-2974)	535.940	n (P-4500)	694.110	n (P-5491)	750.20	n (P-6888)
490.40	n (P-2974)	535.941	n (P-4500)	694.120	n (P-5491)	750.140	am (P-1411388; A-1819)
490.210	n (P-2974)	535.942	n (P-4500)	694.210	n (P-5491)	750.540	am (P-6888)
490.220	n (P-2974)	535.943	n (P-4500)	694.220	n (P-5491)	750.550	r (P-6888)
490.230	n (P-2974)	535.950	n (P-4500)	694.220	n (P-5491)	750.560	am (P-6888)
490.310	n (P-2974)	535.951	n (P-4500)	694.Ap. A	n (P-5491)	750.1800	n (P-6888)
490.320	n (P-2974)	535.952	n (P-4500)	694.Ap. B	n (P-5491)	750.1810	n (P-6888)
490.330	n (P-2974)	535.953	n (P-4500)	694.Ap. C	n (P-5491)	750.1815	n (P-6888)
490.410	n (P-2974)	540.10	am (P-4616)	698.10	n (P-7194)	750.1820	n (P-6888)
490.420	n (P-2974)	540.30	am (P-4616)	698.20	n (P-7194)	750.1830	n (P-6888)
490.430	n (P-2974)	540.40	am (P-4616)	698.30	n (P-7194)	750.1835	n (P-6888)
490.440	n (P-2974)	540.50	am (P-4616)	698.40	n (P-7194)	750.1836	n (P-6888)
490.510	n (P-2974)	540.70	am (P-4616)	698.50	n (P-7194)	750.1837	n (P-6888)
490.520	n (P-2974)	540.80	am (P-4616)	698.60	n (P-7194)	750.1838	n (P-6888)
490.610	n (P-2974)	540.90	am (P-4616)	698.70	n (P-7194)	750.1840	n (P-6888)
490.620	n (P-2974)	540.160	am (P-4616)	698.80	n (P-7194)	750.1850	n (P-6888)
490.710	n (P-2974)	540.190	am (P-4616)	698.Ap. A	n (P-7194)	750.1860	n (P-6888)
490.720	n (P-2974)	542.10	n (P-454488; A-3086)	710.20	am (P-6913)	750.1861	n (P-6888)
490.730	n (P-2974)	542.20	n (P-454488; A-3086)	710.30	am (P-6913)	750.1862	n (P-6888)
490.740	n (P-2974)	542.30	n (P-454488; A-3086)	710.40	am (P-6913)	750.1865	n (P-6888)
490.750	n (P-2974)	542.40	n (P-454488; A-3086)	710.50	am (P-6913)	750.1868	n (P-6888)
490.760	n (P-2974)	542.50	n (P-454488; A-3086)	710.100	am (P-6913)	750.1870	n (P-6888)
490.770	n (P-2974)	542.60	n (P-454488; A-3086)	710.110	am (P-6913)	750.1876	n (P-6888)
490.780	n (P-2974)	542.70	n (P-454488; A-3086)	710.120	am (P-6913)	750.1880	n (P-6888)
490.810	n (P-2974)	542.80	n (P-454488; A-3086)	710.130	am (P-6913)	750.1890	n (P-6888)
490.820	n (P-2974)	542.90	n (P-454488; A-3086)	710.140	am (P-6913)	750.1895	n (P-6888)
490.830	n (P-2974)	542.100	n (P-454488; A-3086)	710.210	am (P-6913)	750.Ap. A	n (P-6888)
490.840	n (P-2974)	635.20	am (P-5505)	710.220	am (P-6913)	750.Ap. B	n (P-6888)
490.910	n (P-2974)	635.30	am (P-5505)	710.230	am (P-6913)	750.Ap. C	n (P-6888)
535.10	am (P-4500)	635.35	n (P-5505)	725.5	r (P-726588; A-2517)	750.Ap. D	n (P-6888)
535.20	am (P-4126)	635.40	am (P-5505)	725.10	n (P-727288; A-2502)	760.20	am (P-1411588; A-1830)
535.150	am (P-4126)	635.50	am (P-5505)	725.15	n (P-727288; A-2502)	760.30	n (P-6964)
535.200	am (P-4126)	635.60	am (P-5505)	725.20	n (P-727288; A-2502)	760.150	am (P-1411588; A-1830)
535.240	am (P-4126)	635.70	am (P-5505)	725.30	r (P-726588; A-2517)	760.Ap. A	n (P-6964)
535.400	am (P-4126)	635.80	am (P-5505)			790.420	am (P-3015) (E-3108)

TITLE 77 (CONT'D)		TITLE 77 (CONT'D)		TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
790.460	am	(P-12991/88; P-16425/88; A-856)	790.460	am	(P-16425/88; A-856)	790.460	am
790.500	am	(P-3015) (E-3108)	790.2097	am	(P-12991/88; A-856) (P-3015)	790.2097	am
790.540	am	(P-3015) (E-3108)	790.2140	am	(P-12991/88; P-16425/88; A-856)	790.2140	am
790.580	am	(P-16425/88; A-856)	790.2180	am	(P-16425/88; A-856)	790.2180	am
790.600	am	(P-16425/88; A-856)	790.2260	am	(P-16425/88; A-856)	790.2260	am
790.620	am	(P-3015) (E-3108)	790.2340	am	(P-16425/88; A-856)	790.2340	am
790.630	am	(P-3015) (E-3108)	790.2380	am	(P-16425/88; A-856)	790.2380	am
790.690	am	(P-12991/88; A-856)	790.2500	am	(P-12991/88; P-16425/88; A-856)	790.2500	am
790.799	n	(P-12991/88; A-856)	790.2540	am	(P-3015) (E-3108)	790.2540	am
790.799	am	(P-16425/88; A-856)	790.2580	am	(P-16425/88; A-856)	790.2580	am
790.860	am	(P-16425/88; A-856)	790.2603	n	(P-3015) (E-3108)	790.2603	n
790.900	am	(P-3015) (E-3108)	790.2605	am	(P-12991/88; P-16425/88; A-856)	790.2605	am
790.905	am	(P-16425/88; A-856)	790.2613	am	(P-16425/88; A-856)	790.2613	am
790.910	am	(P-12991/88; A-856)	790.2617	am	(P-16425/88; A-856) (P-3015)	790.2617	am
790.940	am	(P-12991/88; A-856)	790.2618	am	(P-3015) (E-3108)	790.2618	am
790.974	am	(P-16425/88; A-856)	790.2663	am	(P-12991/88; P-16425/88; A-856)	790.2663	am
790.980	am	(P-3015) (E-3108)	790.2668	am	(P-3015) (E-3108)	790.2668	am
790.1060	am	(P-12991/88; A-856)	790.2672	am	(P-3015) (E-3108)	790.2672	am
790.1100	r	(P-16425/88; A-856)	790.2700	am	(P-3015) (E-3108)	790.2700	am
790.1125	am	(P-16425/88; A-856)	790.2780	am	(P-16425/88; A-856) (P-3015)	790.2780	am
790.1125	am	(P-3015) (E-3108)	790.2800	n	(P-3015) (E-3108)	790.2800	n
790.1127	n	(P-16425/88; A-856)	790.2860	am	(P-16425/88; A-856)	790.2860	am
790.1129	n	(P-16425/88; A-856)	790.2900	am	(P-16425/88; A-856) (P-3015)	790.2900	am
790.1129	am	(P-3015) (E-3108)	790.2904	am	(P-16425/88; A-856) (P-3015)	790.2904	am
790.1131	n	(P-16425/88; A-856)	790.2928	r	(P-16425/88; A-856)	790.2928	r
790.1131	am	(P-3015) (E-3108)	790.2928	n	(P-12991/88; A-856)	790.2928	n
790.1200	am	(P-3015) (E-3108)	790.2932	am	(P-16425/88; A-856)	790.2932	am
790.1300	am	(P-16425/88; A-856) (P-3015)	790.2940	am	(P-3015) (E-3108)	790.2940	am
790.1345	am	(P-16425/88; A-856)	790.3020	am	(P-16425/88; A-856)	790.3020	am
790.1440	n	(P-16425/88; A-856)	790.3023	am	(P-3015) (E-3108)	790.3023	am
790.1460	am	(P-16425/88; A-856)	790.3027	am	(P-16425/88; A-856)	790.3027	am
790.1560	am	(P-12991/88; P-16425/88; A-856)	790.3028	am	(P-3015) (E-3108)	790.3028	am
790.1570	n	(P-16425/88; A-856)	790.3054	am	(P-3015) (E-3108)	790.3054	am
790.1570	am	(P-3015) (E-3108)	790.3085	am	(P-16425/88; A-856)	790.3085	am
790.1577	am	(P-16425/88; A-856) (P-3015)	790.3100	am	(P-16425/88; A-856)	790.3100	am
790.1620	am	(P-12991/88; A-856)	790.3300	am	(P-16425/88; A-856) (P-3015)	790.3300	am
790.1660	am	(P-16425/88; A-856)	790.3315	am	(P-3015) (E-3108)	790.3315	am
790.1685	am	(P-12991/88; A-856) (P-3015)	790.3335	am	(P-16425/88; A-856)	790.3335	am
790.1697	am	(P-3015) (E-3108)	790.3340	am	(P-3015) (E-3108)	790.3340	am
790.1700	am	(P-3015) (E-3108)	790.3420	am	(P-12991/88; A-856) (P-3015)	790.3420	am
790.1706	am	(P-3015) (E-3108)	790.3425	am	(P-16425/88; A-856)	790.3425	am
790.1708	am	(P-3015) (E-3108)	790.3437	am	(P-12991/88; A-856) (P-3015)	790.3437	am
790.1710	am	(P-3015) (E-3108)	790.3440	n	(P-16425/88; A-856)	790.3440	n
790.1711	am	(P-16425/88; A-856)	790.3475	n	(P-16425/88; A-856)	790.3475	n
790.1721	am	(P-16425/88; A-856) (P-3015)					
790.1740	am	(P-3108)					
790.1930	am	(P-16425/88; A-856)					
790.1980	am	(P-3015) (E-3108)					
790.3492	am	(P-3015) (E-3108)	790.3492	am	(P-3015) (E-3108)	790.3492	am
790.3500	am	(P-16425/88; A-856)	790.3500	am	(P-16425/88; A-856)	790.3500	am
790.3540	am	(P-16425/88; A-856)	790.3540	am	(P-16425/88; A-856)	790.3540	am
790.3620	am	(P-3015) (E-3108)	790.3620	am	(P-3015) (E-3108)	790.3620	am
790.3700	am	(P-3015) (E-3108)	790.3700	am	(P-3015) (E-3108)	790.3700	am
790.3720	n	(P-16425/88; A-856)	790.3720	n	(P-16425/88; A-856)	790.3720	n
790.3900	am	(P-16425/88; A-856)	790.3900	am	(P-16425/88; A-856)	790.3900	am
790.3907	am	(P-12991/88; A-856)	790.3907	am	(P-12991/88; A-856)	790.3907	am
790.3910	n	(P-12991/88; P-16425/88; A-856)	790.3910	n	(P-12991/88; P-16425/88; A-856)	790.3910	n
790.3910	am	(P-3015) (E-3108)	790.3910	am	(P-3015) (E-3108)	790.3910	am
790.3940	am	(P-3015) (E-3108)	790.3940	am	(P-3015) (E-3108)	790.3940	am
790.3945	am	(P-16425/88; A-856)	790.3945	am	(P-16425/88; A-856)	790.3945	am
790.4012	am	(P-12991/88; P-16425/88; A-856) (P-3015)	790.4012	am	(P-12991/88; P-16425/88; A-856) (P-3015)	790.4012	am
790.4040	am	(P-16425/88; A-856) (P-3015)	790.4040	am	(P-16425/88; A-856) (P-3015)	790.4040	am
790.4060	am	(P-16425/88; A-856)	790.4060	am	(P-16425/88; A-856)	790.4060	am
790.4100	am	(P-12991/88; P-16425/88; A-856)	790.4100	am	(P-12991/88; P-16425/88; A-856)	790.4100	am
790.4220	am	(P-16425/88; A-856)	790.4220	am	(P-16425/88; A-856)	790.4220	am
790.4300	am	(P-3015) (E-3108)	790.4300	am	(P-3015) (E-3108)	790.4300	am
790.4396	am	(P-12991/88; P-16425/88; A-856)	790.4396	am	(P-12991/88; P-16425/88; A-856)	790.4396	am
790.4398	am	(P-3015) (E-3108)	790.4398	am	(P-3015) (E-3108)	790.4398	am
790.4430	am	(P-16425/88; A-856)	790.4430	am	(P-16425/88; A-856)	790.4430	am
790.4460	am	(P-16425/88; A-856)	790.4460	am	(P-16425/88; A-856)	790.4460	am
790.4540	am	(P-3015) (E-3108)	790.4540	am	(P-3015) (E-3108)	790.4540	am
790.4580	am	(P-16425/88; A-856)	790.4580	am	(P-16425/88; A-856)	790.4580	am
790.4620	am	(P-16425/88; A-856)	790.4620	am	(P-16425/88; A-856)	790.4620	am
790.4660	am	(P-16425/88; A-856) (P-3015)	790.4660	am	(P-16425/88; A-856) (P-3015)	790.4660	am
790.4670	am	(P-12991/88; A-856) (P-3015)	790.4670	am	(P-12991/88; A-856) (P-3015)	790.4670	am
790.4680	am	(P-12991/88; A-856)	790.4680	am	(P-12991/88; A-856)	790.4680	am
790.4720	am	(P-12991/88; P-16425/88; A-856)	790.4720	am	(P-12991/88; P-16425/88; A-856)	790.4720	am
790.4740	am	(P-12991/88; P-16425/88; A-856)	790.4740	am	(P-12991/88; P-16425/88; A-856)	790.4740	am
790.4820	am	(P-16425/88; A-856)	790.4820	am	(P-16425/88; A-856)	790.4820	am
790.4960	n	(P-16425/88; A-856)	790.4960	n	(P-16425/88; A-856)	790.4960	n
790.5060	am	(P-16425/88; A-856)	790.5060	am	(P-16425/88; A-856)	790.5060	am
790.5140	am	(P-12991/88; P-16425/88; A-856)	790.5140	am	(P-12991/88; P-16425/88; A-856)	790.5140	am
790.5180	am	(P-3015) (E-3108)	790.5180	am	(P-3015) (E-3108)	790.5180	am
790.5220	am	(P-12991/88; A-856) (P-3015)	790.5220	am	(P-12991/88; A-856) (P-3015)	790.5220	am
790.5300	am	(P-16425/88; A-856)	790.5300	am	(P-16425/88; A-856)	790.5300	am
790.5312	am	(P-12991/88; P-16425/88; A-856)	790.5312	am	(P-12991/88; P-16425/88; A-856)	790.5312	am
790.5420	am	(P-12991/88; A-856) (P-3015)	790.5420	am	(P-12991/88; A-856) (P-3015)	790.5420	am
790.5483	am	(P-16425/88; A-856)	790.5483	am	(P-16425/88; A-856)	790.5483	am
790.5520	n	(P-16425/88; A-856)	790.5520	n	(P-16425/88; A-856)	790.5520	n
790.5530	am	(P-16425/88; A-856)	790.5530	am	(P-16425/88; A-856)	790.5530	am
790.5540	am	(P-16425/88; A-856) (E-3108)	790.5540	am	(P-16425/88; A-856) (E-3108)	790.5540	am
790.5544	am	(P-12991/88; P-16425/88; A-856)	790.5544	am	(P-12991/88; P-16425/88; A-856)	790.5544	am
790.5560	n	(P-16425/88; A-856)	790.5560	n	(P-16425/88; A-856)	790.5560	n
790.5620	am	(P-12991/88; P-16425/88; A-856)	790.5620	am	(P-12991/88; P-16425/88; A-856)	790.5620	am
790.5640	n	(P-12991/88; A-856)	790.5640	n	(P-12991/88; A-856)	790.5640	n
790.5660	am	(P-3015) (E-3108)	790.5660	am	(P-3015) (E-3108)	790.5660	am
790.5780	am	(P-3015) (E-3108)	790.5780	am	(P-3015) (E-3108)	790.5780	am
790.5792	am	(P-12991/88; P-16425/88; A-856)	790.5792	am	(P-12991/88; P-16425/88; A-856)	790.5792	am
790.5795	n	(P-16425/88; A-856)	790.5795	n	(P-16425/88; A-856)	790.5795	n
790.5807	am	(E-3108)	790.5807	am	(E-3108)	790.5807	am
790.5820	am	(P-12991/88; P-16425/88; A-856)	790.5820	am	(P-12991/88; P-16425/88; A-856)	790.5820	am
790.5830	am	(P-12991/88; P-16425/88; A-856)	790.5830	am	(P-12991/88; P-16425/88; A-856)	790.5830	am
790.5837	n	(P-12991/88; A-856)	790.5837	n	(P-12991/88; A-856)	790.5837	n
790.5840	am	(P-16425/88; A-856)	790.5840	am	(P-16425/88; A-856)	790.5840	am
790.5893	am	(P-16425/88; A-856)	790.5893	am	(P-16425/88; A-856)	790.5893	am
790.5900	am	(P-16425/88; A-856)	790.5900	am	(P-16425/88; A-856)	790.5900	am
790.5924	am	(P-12991/88; A-856) (P-3015)	790.5924	am	(P-12991/88; A-856) (P-3015)	790.5924	am
790.5940	am	(P-12991/88; P-16425/88; A-856)	790.5940	am	(P-12991/88; P-16425/88; A-856)	790.5940	am
790.5980	am	(P-3015) (E-3108)	790.5980	am	(P-3015) (E-3108)	790.5980	am
790.5992	am	(P-16425/88; A-856)	790.5992	am	(P-16425/88; A-856)	790.5992	am
790.6140	am	(P-16425/88; A-856)	790.6140	am	(P-16425/88; A-856)	790.6140	am
790.6180	am	(P-3015) (E-3108)	790.6180	am	(P-3015) (E-3108)	790.6180	am
790.6260	am	(P-16425/88; A-856) (P-3015)	790.6260	am	(P-		

TITLE 77 (CONT'D)

790.6960	n	(P-12991/88; A-856)	790.9500	am	(P-12991/88; A-856)
790.6980	am	(P-16425/88; A-856) (P-3015)	790.9530	am	(P-12991/88; A-856)
790.7020	am	(E-3108)	830.10	n	(P-3325/88; A-2090)
790.7140	am	(P-16425/88; A-856)	830.20	n	(P-3325/88; A-2090)
790.7180	am	(P-16425/88; A-856)	830.100	am	(P-3325/88; A-2090)
790.7181	n	(P-16425/88; A-856)	830.110	am	(P-3325/88; A-2090)
790.7223	am	(P-16425/88; A-856)	830.120	am	(P-3325/88; A-2090)
790.7260	am	(P-16425/88; A-856)	830.130	am	(P-3325/88; A-2090)
790.7265	n	(P-16425/88; A-856)	830.140	am	(P-3325/88; A-2090)
790.7280	am	(P-16425/88; A-856) (P-3015)	830.150	r	(P-3325/88; A-2090)
790.7288	n	(E-3108)	830.160	r	(P-3325/88; A-2090)
790.7288	am	(P-3015) (E-3108)	830.170	r	(P-3325/88; A-2090)
790.7400	am	(P-12991/88; A-856) (P-3015)	830.180	am	(P-3325/88; A-2090)
790.7500	am	(E-3108)	830.190	am	(P-3325/88; A-2090)
790.7540	am	(P-12991/88; A-856)	830.200	am	(P-3325/88; A-2090)
790.7700	am	(P-16425/88; A-856) (P-3015)	830.210	n	(P-3325/88; A-2090)
790.7820	am	(E-3108)	830.220	n	(P-3325/88; A-2090)
790.7828	am	(P-3015) (E-3108)	830.230	n	(P-3325/88; A-2090)
790.8020	am	(P-3015) (E-3108)	830.240	n	(P-3325/88; A-2090)
790.8140	am	(P-3015) (E-3108)	830.250	am	(P-3325/88; A-2090)
790.8248	r	(P-3015) (E-3108)	830.260	am	(P-3325/88; A-2090)
790.8260	am	(P-16425/88; A-856)	830.270	am	(P-3325/88; A-2090)
790.8378	am	(P-16425/88; A-856)	830.280	am	(P-3325/88; A-2090)
790.8380	am	(P-16425/88; A-856)	830.290	n	(P-3325/88; A-2090)
790.8420	am	(P-3015) (E-3108)	830.300	n	(P-3325/88; A-2090)
790.8580	am	(E-3108)	830.310	n	(P-3325/88; A-2090)
790.8700	am	(P-16425/88; A-856) (P-3015)	830.315	n	(P-3325/88; A-2090)
790.8724	am	(P-3015) (E-3108)	830.400	am	(P-3325/88; A-2090)
790.8740	am	(P-3015) (E-3108)	830.410	am	(P-3325/88; A-2090)
790.8900	am	(P-16425/88; A-856) (P-3015)	830.420	r	(P-3325/88; A-2090)
790.8940	am	(E-3108)	830.430	am	(P-3325/88; A-2090)
790.9020	am	(P-12991/88; A-856) (P-3015)	830.440	am	(P-3325/88; A-2090)
790.9060	am	(P-3015) (E-3108)	830.450	am	(P-3325/88; A-2090)
790.9100	am	(P-16425/88; A-856) (P-3015)	830.460	am	(P-3325/88; A-2090)
790.9140	am	(E-3108)	830.500	am	(P-3325/88; A-2090)
790.9220	am	(P-3015) (E-3108)	830.510	am	(P-3325/88; A-2090)
790.9320	am	(P-3015) (E-3108)	830.520	am	(P-3325/88; A-2090)
790.9380	am	(P-3015) (E-3108)	830.530	am	(P-3325/88; A-2090)
790.9475	am	(P-3015) (E-3108)	830.540	am	(P-3325/88; A-2090)
790.9486	am	(P-12991/88; A-856) (P-3015)	830.560	r	(P-3325/88; A-2090)
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			830.600	am	(P-3325/88; A-2090)
			830.610	r	(P-3325/88; A-2090)
			830.620	am	(P-3325/88; A-2090)
			830.630	am	(P-3325/88; A-2090)
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			830.650	am	(P-3325/88; A-2090)
			830.660	r	(P-3325/88; A-2090)
			830.670	am	(P-3325/88; A-2090)
			830.700	am	(P-3325/88; A-2090)
			830.800	n	(P-3325/88; A-2090)
			830.820	am	(P-3325/88; A-2090)
			830.830	n	(P-3325/88; A-2090)
			830.840	n	(P-3325/88; A-2090)
			830.850	n	(P-3325/88; A-2090)
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830.870	n	(P-3325/88; A-2090)	890.2110	am	(P-4543)
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830.870	n	(P-3325/88; A-2090)	890.3030	n	(P-4543)
830.870	n	(P-3325/88; A-2090)	890.3040	n	(P-4543)
830.870	n	(P-3325/88; A-2090)	890.3050	n	(P-4543)
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830.870	n	(P-3325/88; A-2090)	1100.560	am	(P-5596)
830.870	n	(P-3325/88; A-2090)	1100.570	am	(P-5596)
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830.870	n	(P-3325/88; A-2090)	1110.720	am	(P-5619)
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830.870	n	(P-3325/88; A-2090)	1110.2330	am	(P-5619)
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830.870	n	(P-3325/88; A-2090)	1150.210	r	(P-5580)
830.870	n	(P-3325/88; A-2090)	1150.220	r	(P-5580)
830.870	n	(P-3325/88; A-2090)	1150.230	r	(P-5580)
830.870	n	(P-3325/88; A-2090)	1150.310	r	(P-5580)
830.870	n	(P-3325/88; A-2090)	1150.320	r	(P-5580)
830.870	n	(P-3325/88; A-2090)	1150.330	r	(P-5580)
830.870	n	(P-3325/88; A-2090)	1150.410	r	(P-5580)
830.870	n	(P-3325/88; A-2090)	1150.420	r	(P-5580)
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1570.80	am	(P-14122/88; O-22492/88; R-1626; A-1577)	(P-253) (E-629)
1570.90	am	(P-14122/88; O-22492/88; R-1626; A-1577)	(P-253) (E-629)
1570.100	am	(P-14122/88; O-22492/88; R-1626; A-1577)	(P-253) (E-629)
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285.5350	(P-5229)
285.5355	(P-5229)
285.5360	(P-5229)
285.5365	(P-5229)
285.5370	(P-5229)
285.5375	(P-5229)
285.5380	(P-5229)
285.5385	(P-5229)
285.5390	(P-5229)
285.5395	(P-5229)
285.5400	(P-5229)
285.5405	(P-5229)
285.5410	(P-5229)
285.5415	(P-5229)
285.5420	(P-5229)
285.5425	(P-5229)
285.5430	(P-5229)
285.5435	(P-5229)
285.5440	(P-5229)
285.5445	(P-5229)
285.5450	(P-5229)
285.5455	(P-5229)
285.5460	(P-5229)
285.5465	(P-5229)
285.5470	(P-5229)
285.5475	(P-5229)
285.5480	(P-5229)
285.5485	(P-5229)
285.5490	(P-5229)

TITLE	R3	(CONT)
435.20	r	(P)
435.30	r	(P)
435.40	r	(P)
435.50	r	(P)
435.60	r	(P)
440.10	n	(P)
440.100	n	(P)
440.200	n	(P)
440.210	n	(P)
440.220	n	(P)
440.240	n	(P)
440.300	n	(P)
440.400	n	(P)
440.410	n	(P)
440.420	n	(P)
440.430	n	(P)
440.500	n	(P)
440.510	n	(P)
440.520	n	(P)
440.600	n	(P)
440.650	n	(P)
440.660	n	(P)
440.700	n	(P)
440.800	n	(P)
440.810	n	(P)
440.900	n	(P)
440.910	n	(P)
505.10	am	(P)
535.10	n	(P)
535.15	n	(P)
535.100	n	(P)
535.110	n	(P)
535.115	n	(P)
535.120	n	(P)
535.200	n	(P)
535.210	n	(P)
535.220	n	(P)
535.300	n	(P)
535.330	n	(P)
535.340	n	(P)
535.310	n	(P)
535.350	n	(P)
535.360	n	(P)
535.400	n	(P)
535.410	n	(P)
535.500	n	(P)
535.510	n	(P)
535.510	am	(P)
710.100	n	(P)

TITLE 83 (CONT'D)		TITLE 86	
710.105	n	100.370	am
710.110	n	100.5706	am
710.115	n	110.105	am
710.120	n	110.145	am
710.125	n	110.160	am
710.130	n	150.325	am
710.135	n	150.330	am
710.140	n	150.1401	am
710.145	n	150.1405	am
710.150	n	150.1415	am
710.155	n	151.101	am
710.160	n	151.105	am
710.165	n	151.110	am
710.170	n	151.115	am
710.175	n	200.101	am
710.180	n	200.105	am
710.185	n	200.110	am
710.190	n	200.115	am
710.195	n	200.120	am
710.200	n	200.125	am
710.205	n	200.130	am
710.210	n	200.135	am
710.215	n	200.140	am
710.220	n	200.145	am
710.225	n	200.150	am
710.230	n	200.155	am
710.235	n	200.160	am
710.240	n	200.165	am
710.245	n	200.170	am
710.250	n	200.175	am
710.255	n	200.180	am
710.260	n	200.185	am
710.265	n	200.190	am
710.270	n	200.195	am
710.275	n	200.200	am
710.280	n	200.205	am
710.285	n	200.210	am
710.290	n	200.215	am
710.295	n	200.220	am
710.300	n	200.225	am
710.305	n	200.230	am
710.310	n	200.235	am
710.315	n	200.240	am
710.320	n	200.245	am
710.325	n	200.250	am
710.330	n	200.255	am
710.335	n	200.260	am
710.340	n	200.265	am
710.345	n	200.270	am
710.350	n	200.275	am
710.355	n	200.280	am
710.360	n	200.285	am
710.365	n	200.290	am
710.370	n	200.295	am
710.375	n	200.300	am
710.380	n	200.305	am
710.385	n	200.310	am
710.390	n	200.315	am
710.395	n	200.320	am
710.400	n	200.325	am
710.405	n	200.330	am
710.410	n	200.335	am
710.415	n	200.340	am
710.420	n	200.345	am
710.425	n	200.350	am
710.430	n	200.355	am
710.435	n	200.360	am
710.440	n	200.365	am
710.445	n	200.370	am
710.450	n	200.375	am
710.455	n	200.380	am
710.460	n	200.385	am
710.465	n	200.390	am
710.470	n	200.395	am
710.475	n	200.400	am
710.480	n	200.405	am
710.485	n	200.410	am
710.490	n	200.415	am
710.495	n	200.420	am
710.500	n	200.425	am
710.505	n	200.430	am
710.510	n	200.435	am
710.515	n	200.440	am
710.520	n	200.445	am
710.525	n	200.450	am
710.530	n	200.455	am
710.535	n	200.460	am
710.540	n	200.465	am

TITLE	86.	(CONT'D.)
200.130	r	(P-2001.288; A-6808)
200.130	r	(P-1999.3788; A-6789)
200.135	n	(P-2001.288; A-6808)
200.135	n	(P-1999.378; A-6789)
200.140	r	(P-2001.288; A-6808)
200.140	r	(P-1999.3788; A-6789)
200.145	n	(P-1999.3788; A-6789)
200.150	n	(P-1999.3788; A-6789)
200.155	n	(P-1999.3788; A-6789)
200.165	n	(P-1999.3788; A-6789)
200.170	n	(P-1999.3788; A-6789)
200.175	n	(P-1999.3788; A-6789)
210.135	n	(P-1106.0788; A-6782)
425.10	r	(P-1997.6788; A-6780)
425.20	r	(P-1997.6788; A-6780)
432.100	n	(P-1502.7788; A-191)
432.110	n	(P-1502.7788; A-191)
432.120	n	(P-1502.7788; A-191)
432.130	n	(P-1502.7788; A-191)
432.140	n	(P-1502.7788; A-191)
432.150	n	(P-1502.7788; A-191)
432.160	n	(P-1502.7788; A-191)
432.170	n	(P-1502.7788; A-191)
432.180	n	(P-1502.7788; A-191)
432.190	n	(P-1502.7788; A-191)
432.200	n	(P-1502.7788; A-191)
445.10	r	(P-1998.1788; A-6785)
445.20	r	(P-1998.1788; A-6785)
445.30	r	(P-1998.1788; A-6785)
455.10	r	(P-1998.7788; A-6787)
455.20	r	(P-1998.7788; A-6787)
455.30	r	(P-1998.7788; A-6787)
525.103	am	(E-5788)
530.165	n	(P-11104.788; A-1589)
600.101	n	(P-1448)
600.105	n	(P-1448)
600.110	n	(P-1448)
600.115	n	(P-1448)
600.120	n	(P-1448)
600.125	n	(P-1448)
600.130	n	(P-1448)
600.135	n	(P-1460)
610.101	n	(P-1460)
610.105	n	(P-1460)
610.110	n	(P-1460)
610.115	n	(P-1460)
610.120	n	(P-1460)
610.125	n	(P-1460)
610.130	n	(P-1460)
610.135	n	(P-1460)
620.101	n	(P-1468)
620.105	n	(P-1468)
620.110	n	(P-1468)
620.115	n	(P-1468)
620.120	n	(P-1468)

TITLE #6 (CONT'D)	
630.101	n (P-1473)
630.105	n (P-1473)
630.110	n (P-1473)
630.115	n (P-1473)
630.120	n (P-1473)
630.125	n (P-1473)
630.130	n (P-1473)
630.135	n (P-1473)
640.101	n (P-1485)
640.105	n (P-1485)
640.110	n (P-1485)
640.115	n (P-1485)
640.120	n (P-1485)
640.125	n (P-1485)
640.130	n (P-1485)
640.135	n (P-1485)
650.101	n (P-1493)
650.105	n (P-1493)
650.110	n (P-1493)
650.115	n (P-1493)
650.120	n (P-1493)

TITLE #9 (CONT'D)	
112.254	am (P-15905/88; A-70)
112.318	n (P-4116)
113.5	n (P-20654/88; A-6007)
113.142	am (P-15898/88; A-63)
113.157	n (P-5440)
113.253	am (E-3402) (P-15898/88; A-63)
113.260	am (E-3402) (P-15898/88; A-63)
113.302	am (P-22299/88; A-6007)
114.5	am (P-20967/88; A-3900)
114.127	am (P-14996/88; A-89) (P-1959)
114.128	am (P-17621/88; A-1546)
114.220	am (P-5456)
114.240	r (P-5456)
114.351	am (P-15924/88; A-89)
114.352	am (P-15924/88; A-89)
114.353	am (P-15924/88; A-89)
115.1	n (P-20735/88; A-3932)
115.10	am (P-2702)
115.30	am (P-2702)
116.10	n (P-20683/88; A-3847)
117.1	n (P-20739/88; A-3936)
117.20	am (P-5487)
118.300	n (P-20753/88; A-3950)
120.1	n (P-20705/88; A-3908)
120.40	am (P-17633/88; A-2081)
120.70	am (P-3281)
120.72	n (P-3281)
120.74	n (P-3281)
120.76	n (P-3281)
121.58	am (P-3541)
121.62	am (P-3541)
121.135	n (P-20686/88; A-3890)
130.301	am (P-4469)
130.302	am (P-4469)
130.310	am (P-4469)
130.312	am (P-4469)
130.313	am (P-4469)
130.314	am (P-4469)
130.321	am (P-4469)
130.500	n (P-20649/88; A-3831)
140.16	am (P-2937)
140.17	am (P-2937)
140.19	am (P-12976/88; A-3917)
140.20	am (P-20714/88; A-7786)
140.21	n (P-3295)
140.43	n (P-19868/88; A-7025)
140.100	am (P-16421/88; O-1259; M-3195; A-3069)
140.350	am (P-5958/88; A-3351)
140.362	am (P-5958/88; A-3351)
140.363	am (P-5958/88; A-3351)
140.364	r (P-5958/88; A-3351)
140.364	n (P-5958/88; A-3351)

TITLE #9 (CONT'D)	
140.367	am (P-5958/88; A-3351)
140.369	am (P-5958/88; A-3351)
140.370	am (P-5958/88; A-3351)
140.372	am (P-5958/88; A-3351)
140.373	r (P-5958/88; A-3351)
140.376	r (P-5958/88; A-3351)
140.390	am (P-17643/88; A-5115)
140.392	am (P-17643/88; A-5115)
140.394	am (P-17643/88; A-5115)
140.400	am (P-17172/88; A-2475)
140.441	am (P-17172/88; A-2475)
140.443	am (P-17172/88; A-2475)
140.445	am (P-17172/88; O-1263; R-2538; A-2475)
140.447	am (P-17172/88; A-2475)
140.497	n (P-7546)
140.512	am (P-11993/88; A-125)
140.525	am (P-17172/88; A-5718)
140.526	am (P-1420)
140.569	am (P-5465)
140.850	re (A-7040)
140.855	re (A-7040)
140.860	re (A-7040)
140.865	re (A-7040)
140.870	re (A-7040)
140.875	re (A-7040)
140.880	re (A-7040)
140.885	re (A-7040)
140.890	re (A-7040)
140.895	re (A-7040)
140.896	re (A-7040)
140.896	n (P-11701/88; A-5718)
141.100	re (P-7873) (E-8036)
141.200	am (P-20370/88; A-3850) (P-7873)
141.360	am (P-7873) (E-8036)
141.400	am (P-15483/88; A-516) (P-7873)
141.480	am (P-15483/88; A-516) (P-7873)
141.520	am (P-7873) (E-8036)
141.560	am (P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)
141.720	am (P-20370/88; A-3850)
141.800	am (P-15483/88; A-516) (P-7873)
141.1000	am (P-7873) (E-8036)
141.1160	am (P-15483/88; A-516)
141.1200	am (P-7873) (E-8036)
141.1240	am (P-15483/88; A-516) (P-7873)
141.1280	am (P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)
141.1320	am (P-7873) (E-8036)
141.1480	am (P-15483/88; A-516) (P-7873)

TITLE #9 (CONT'D)	
141.1520	am (P-15483/88; A-516) (P-7873)
141.1680	am (P-15483/88; A-516) (P-20370/88; A-3850)
141.1760	am (P-15483/88; A-516)
141.2280	am (P-15483/88; A-516)
141.2360	am (P-15483/88; A-516)
141.2400	am (P-15483/88; A-516)
141.2600	am (P-20370/88; A-3850)
141.2760	am (P-15483/88; A-516) (P-20370/88; A-3850)
141.2920	am (P-20370/88; A-3850)
141.2960	am (P-15483/88; A-516) (P-20370/88; A-3850)
141.3080	am (P-7873) (E-8036)
141.3280	am (P-20370/88; A-3850)
141.3320	am (P-7873) (E-8036)
141.3400	am (P-7873) (E-8036)
141.3440	am (P-15483/88; A-516)
141.3480	am (P-15483/88; A-516)
141.3520	am (P-7873) (E-8036)
141.3560	am (P-7873) (E-8036)
141.3600	am (P-20370/88; A-3850)
141.3760	am (P-15483/88; A-516)
141.3800	am (P-15483/88; A-516) (P-20370/88; A-3850)
141.3840	am (P-15483/88; A-516)
141.3920	am (P-20370/88; A-3850) (P-7873)
141.4000	am (P-15483/88; A-516)
141.4040	am (P-15483/88; A-516) (P-7873)
141.4160	am (P-15483/88; A-516)
141.4200	am (P-20370/88; A-3850) (P-7873)
141.4230	n (P-20370/88; A-3850)
141.4440	am (P-15483/88; A-516) (P-7873)
141.4520	am (P-15483/88; A-516)
141.4600	am (P-7873) (E-8036)
141.4640	am (P-7873) (E-8036)
141.4720	am (P-15483/88; A-516)
141.4760	am (P-15483/88; A-516) (P-7873)
141.4800	am (P-20370/88; A-3850)
146.5	re (A-7040)
146.25	re (A-7040)
146.50	re (A-7040)
146.75	re (A-7040)
146.100	re (A-7040)
146.105	re (A-7040)
146.125	re (A-7040)
146.150	re (A-7040)
146.175	re (A-7040)
146.200	re (A-7040)
146.225	re (A-7040)

TITLE #9 (CONT'D)	TITLE #9 (CONT'D)	TITLE #9 (CONT'D)	TITLE #9 (CONT'D)
147.25 am (P-3562)	240.1722 n (P-685)	510.40 n (P-3036)	597.150 n (P-2197/88; A-1568)
147.50 am (P-3562)	240.1725 n (P-685)	510.40 r (P-3020)	597.150 am (P-7212)
147.75 am (P-10627/88; A-559)	240.1730 n (P-685)	510.50 r (P-3036)	607.60 am (P-56) (E-225; O-3478)
147.100 am (P-10627/88; A-559)	240.1735 n (P-685)	510.60 n (P-3036)	650.700 n (P-15520/88; A-7465)
147.205 am (P-17201/88; O-5800; R-7148; A-7043)	240.1738 n (P-685)	510.60 r (P-3020)	675.300 am (P-13956/88; A-6768)
147.205 am (P-10627/88; O-20231/88; R-667; A-559)	240.1739 n (P-685)	510.70 n (P-3036)	685.600 am (P-15023/88; A-5158)
147.7b. A am (P-10627/88; O-20231/88; R-667; A-559)	300.20 am (P-11953/88; A-2419)	510.80 n (P-3036)	700.200 am (P-10409/88; A-3101)
147.7b. B am (P-10627/88; O-20231/88; R-667; A-559)	300.30 am (P-11953/88; A-2419)	510.90 n (P-3036)	700.300 am (P-10409/88; A-3101)
149.100 am (P-3553)	300.90 am (P-11953/88; A-2419)	510.100 n (P-3036)	714.10 am (P-4152)
149.105 am (P-13917/88; A-554)	300.100 am (P-11953/88; A-2419)	510.110 n (P-3036)	714.20 am (P-4152)
160.1 n (P-21039/88; A-4268)	300.110 am (P-11953/88; O-22472/88; R-2535; A-2419)	510.120 r (P-3020)	714.30 am (P-4152)
160.5 n (P-1396; A-7761)	300.130 am (P-11953/88; A-2419)	510.130 r (P-3020)	765.10 am (P-13948/88; A-5154)
160.10 am (P-1396; A-7761) (P-7867)	300.140 am (P-11953/88; A-2419)	510.210 r (P-3020)	825.10 am (P-13948/88; A-7958)
160.70 am (P-20677/88; A-4268)	300.160 am (P-11953/88; A-2419)	510.220 r (P-3020)	829.10 n (P-5990/88; A-5755)
160.100 n (P-1396; A-7761)	302.310 am (P-13814/88; W-8115) (P-7847)	510.230 r (P-3020)	829.20 n (P-5990/88; A-5755)
160.110 n (P-1396; A-7761)	302.311 n (P-7847)	510.240 r (P-3020)	829.30 n (P-5990/88; A-5755)
160.120 n (P-1396; A-7761)	310.2 am (P-11953/88; A-7308)	510.250 r (P-3020)	829.50 n (P-5990/88; A-5755)
160.130 n (P-1396; A-7761)	310.12 am (P-11953/88; O-3412; R-7483; A-7308)	510.260 r (P-3020)	829.60 n (P-5990/88; A-5755)
160.140 n (P-1396; A-7761)	310.13 am (P-11953/88; A-7308)	510.270 r (P-3020)	829.70 n (P-5990/88; A-5755)
160.150 n (P-1396; A-7761)	310.14 am (P-11953/88; A-7308)	510.280 r (P-3020)	829.80 n (P-5990/88; A-5755)
160.160 n (P-1396; A-7761)	310.15 am (P-11953/88; A-7308)	510.290 r (P-3020)	843.10 am (P-15015/88; A-4298)
165.1 n (P-20679/88; A-3843)	310.16 am (P-11953/88; A-7308)	510.310 r (P-3020)	843.50 am (P-15015/88; A-4298)
165.10 am (P-5450)	334.11 am (P-11915/88; A-6986)	510.320 r (P-3020)	843.60 am (P-15015/88; A-4298)
165.20 am (P-5450)	334.12 am (P-11915/88; A-6986)	510.410 r (P-3020)	843.70 am (P-15015/88; A-4298)
165.70 am (P-5450)	334.13 am (P-11915/88; A-6986)	510.420 r (P-3020)	843.150 am (P-15015/88; A-4298)
170.100 n (P-4490)	357.2 am (P-13807/88; A-3344)	520.20 am (P-6911/88; A-5149)	843.160 am (P-15015/88; A-4298)
170.110 n (P-4490)	357.3 am (P-13807/88; A-3344)	520.30 am (P-6911/88; A-5149)	845.40 n (P-4641)
170.120 n (P-4490)	357.11 am (P-13744/88; A-5917)	520.100 am (P-6911/88; A-5149)	895.10 n (P-3310)
170.200 n (P-4490)	385.20 am (P-13744/88; A-5917)	530.5 n (P-3565/88; A-141)	895.20 n (P-3310)
230.360 am (P-14777/88; A-2015)	385.30 am (P-13744/88; A-5917)	530.10 am (P-3565/88; A-141)	895.30 n (P-3310)
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451.50	n	(P-16536/88; W-2882)	518.300	n	(PP-7057)	518.4010	n	(PP-7057)
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451.70	n	(P-16536/88; W-2882)	518.310	n	(PP-7057)	518.4020	n	(PP-7057)
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452.30	r	(P-16447/88; W-2881)	518.735	n	(PP-7057)	518.Ex.A	n	(PP-7057)
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Volume 23 includes Titles 108 - Public Health, 109 - Public Welfare, 110 - Public

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Volume 24 includes Titles 112 - Public Health, 113 - Public Welfare, 114 - Public

Utility Services, and 115 - Public Utilities, at \$22.50 per copy

Volume 25 includes Titles 116 - Public Health, 117 - Public Welfare, 118 - Public

Utility Services, and 119 - Public Utilities, at \$22.50 per copy

Volume 26 includes Titles 120 - Public Health, 121 - Public Welfare, 122 - Public

Utility Services, and 123 - Public Utilities, at \$22.50 per copy

Volume 27 includes Titles 124 - Public Health, 125 - Public Welfare, 126 - Public

Utility Services, and 127 - Public Utilities, at \$22.50 per copy

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gathered indicates whether the employers have employed or supervised students who have participated in this program and the employers' judgment (which may include "no opinion"), on a five-point scale on which "1" means poor and "5" equals excellent, as to --

- A) how well the program prepared students to perform technical skills required on the job such as utilization of equipment, understanding of work-related terminology, etc.,
- B) how well the program prepared students to perform reading, writing, and math skills on the job,
- C) how well the program prepared students with general employability skills (such as work attitudes, being on time to work, receiving supervision, proper dress, etc.,) and,
- D) in general, how program graduate(s) rate as compared to other employees.

- 3) Student Satisfaction: an assessment of current and former student views related to course content, instructional methods, instructor readiness, instructional resources, support services, and preparation for employment, obtained through surveying a sample of current and former students. The information gathered indicates the students' judgment, on a five-point scale on which "1" means not satisfied and "5" means very satisfied, as to --

- A) the material covered and level of difficulty in their vocational program,
- B) the lectures, lab experiences, and the group and individual projects used by instructors in their vocational program,
- C) their vocational instructors' knowledge of the field and current employment opportunities and trends in their program,
- D) the equipment, facilities, and materials used in their vocational program,
- E) the guidance, tutoring, and vocational counseling available in their vocational program, and

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- F) for former students, to what extent they are satisfied that their training prepared them for a job.

- 4) Student Performance: an assessment of students' skills on state-developed employability skills tests. The information gathered identifies the mean student score by program and encompasses the following areas --

- A) identifying employment opportunities,
- B) applying employment seeking skills,
- C) interpreting employment capabilities,
- D) demonstrating appropriate work behavior,
- E) maintaining a safe and healthy environment,
- F) maintaining a businesslike image,
- G) maintaining working relationships with others,
- H) communicating on the job,
- I) adapting to change,
- J) understanding how a business works, and
- K) performing mathematical skills.

- 5) Enrollment: a tabulation of currently enrolled students, as well as those enrolled over the past three to five years, resulting in trend information, obtained through retrieval of enrollment information from existing records. The information gathered identifies the --

- A) curriculum,
- B) year/term, and
- C) number of students enrolled.

- 6) Cost Containment: a calculation of the unit cost for the program, obtained through retrieval of program cost information from existing records. The information gathered identifies the cost per unit of credit to include components such as the following --

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- A) revenue (such as reimbursements, tuition, special projects/grants, services, sale/resale of equipment, supplies and projects), and
- B) expenditures (such as personnel, contractual fees, materials/supplies, equipment, travel, and maintenance/repair).
- 7) Labor Market Justification: Regional, state, and national labor market data will be provided by the State Board of Education in conjunction with the evaluation. This information, together with such additional information as the applicant may consider necessary, shall be reviewed by the applicant as a basis for determining needs related to its program.

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)

Section 254.620 On-Site Visitations (Repealed)

- a) Eligible recipients may request that on-site visitations directed by the State Board of Education be coordinated with on-site visitations of other regulatory or accrediting agencies. Requests for joint on-site visitations should be made prior to the beginning of the school year in which such visitations are scheduled.
- b) The State Board of Education will determine the local educational eligible recipients to be evaluated each year. Once the eligible recipients to be evaluated in a particular year are identified, the regional superintendent of schools, director of a state agency, or executive director of the Illinois Community College Board, as appropriate, will be notified of the particular eligible recipients within their jurisdiction which have been scheduled for an on-site visitation during the school year.
- c) Following initial notification, the State Board of Education will inform the eligible recipient by letter of the impending on-site evaluation. Such letter will request a copy of the school calendar to aid in establishing dates for the on-site visitation convenient to the eligible recipient. The chief administrator will be invited to suggest dates which would be inappropriate or inconvenient for the on-site visitation.
- d) Once a schedule of evaluation dates has been completed for a particular school year, each eligible recipient scheduled for evaluation will be notified of the exact dates established for the on-site visitation.

(Source: Repealed at 13 Ill. Reg. 8459, effective 5/22/89)

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SUBPART U: PROGRAM IMPROVEMENT AND SUPPORTIVE SERVICES

Section 254.2130 Allocation of Funds for Local Program Improvement Activities

- a) Vocational education funds budgeted by the State Board of Education for the support of local program improvement activities will be allocated only to eligible recipients administering a program of vocational education and approved for funding by the State Board of Education in accordance with applicable provisions of this Part.
- b) Funds for local program improvement activities will be allocated only for such professional and curriculum development and other activities as will contribute to achievement of the goals and objectives of the State Plan for Vocational Education. Project proposals will be reviewed by professional staff of the State Board for evidence of:
- 1) a needs assessment by vocational education personnel of the applicant agency;
 - 2) objectives designed to contribute to attainment of a long-term program improvement goal; and
 - 3) a plan for evaluation of the changes which result from the conduct of project activities.
- c) Applications for approval and funding of local program improvement activities shall be submitted to the State Board of Education on forms provided by the State Board of Education. Each such application shall include the project title and the following:
- 1) The name and address of the eligible recipient together with the names and required signatures of responsible officials and the proposed starting and completion dates. A project may begin any time during the fiscal year but it must be completed by June 30 of that fiscal year.
 - 2) A narrative statement detailing a needs assessment identifying the highest priority problem, the general design of the project, and the anticipated effect or impact of the program improvement activities.
 - 3) A project plan identifying project objectives in terms of desired changes relative to the vocational program and describing the activities proposed to bring about the desired changes together with an evaluation component indicating how the changes will be documented or demonstrated.

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4) A proposed budget listing anticipated project expenditures within allowable budget items and limitations set forth in the Request for Applications.

A) Allowable costs are:

- i) salaries (stipends only),
- ii) employee benefits,
- iii) purchased services,
- iv) staff travel, and
- v) supplies and materials

B) Specific costs must be itemized.

C) Only those expenditures in excess of the regular agency or district operational costs and which are necessary to the project should be shown.

D) Project funds may not be used to maintain a recipient's vocational education program.

E) Consultant fees must be stated, and evidence must be presented that they are in accordance with written policy for consultant reimbursement adopted by the applicant.

F) Out-of-state travel may only be used for technical training experiences not available in Illinois. Written approval must be obtained in advance of such travel from the State Board of Education. Participation in out-of-state professional association meetings and conferences will not be considered for approval.

G) Travel costs to be paid must be stated, and evidence must be presented that they are in accordance with written travel policy adopted by the applicant.

H) Records must be kept to demonstrate that staff travel has been limited to the purposes specified in the approved project application.

I) Unless otherwise approved by the State Board of Education, nonconsumable materials such as resource materials, reference books, and reports remain the property of and must be delivered to the State Board of Education at the end of the project funding period.

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d) The State Board of Education will reject any application if it determines that the application does not meet all specifications of the program for which it is submitted or if, for any reason, funds are limited or unavailable. Following the review of the application by State Board of Education staff, agencies may be required to redirect or modify the scope of work involved in their application.

e) If changes become necessary in program objectives or procedures/activities in the management of a project, the following steps must be followed to initiate a program revision request:

1) A letter of request must be sent to the State Board of Education outlining proposed changes and including a detailed justification for the revision.

2) If the changes necessitate a budget revision, it must be requested at this time in accordance with the budget revision provisions in subsection (f) of this Section.

3) The revision request must be signed by the project director.

f) The State Board of Education will not approve budget revisions requested during the last thirty days of a funding agreement nor expenses which have already been incurred and are not part of an existing budget line item. Funded agencies may not transfer funds between object codes. If a budget revision is required, the agency must submit a request which contains the following:

1) A detailed justification for each change and the amount of money involved. Indicate items to be decreased to equal requested increases.

2) Submit one copy of the proposed revised budget.

3) The budget revision request must be signed by the project director; the project director is required to notify the agency official of this change. Any requests for an increase or decrease in the project budget must be signed by the same agency official(s) who signed the original proposal submitted to the State Board of Education.

g) Each eligible recipient awarded a grant of funds for program improvement activities on the basis of a Request for Applications shall complete a final report for each project approved under the application. Each such final report shall be submitted on forms provided by the State Board of Education and shall include:

- 1) The project title and agreement number together with the name and address of the eligible recipient and the names of responsible officials.
- 2) A project summary identifying the problem areas addressed in the project, the number of individual teachers, counselors, administrators, students, and other persons who participated directly in the project, and the State Board of Education materials and other products used in the project.
- 3) An assessment of objectives, indicating for each objective set forth in the project application, the degree to which the objective was achieved and the activities completed, together with a description of the changes which occurred in terms of who or what was changed, the extent of change, and how the change was documented or demonstrated.

h) To verify project expenditures, agencies will be sent a report form, with instructions, to complete and forward to the State Board of Education. Semi-annual and end-of-year expenditure reports are required. Only actual, approved expenditures will be reimbursed. The final payment for project expenditures will be made only after all final performance and expenditure reports have been received by the State Board of Education.

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)

SUBPART V: GUIDELINES AND SPECIFICATIONS FOR PREPARATION OF PROPOSALS

Section 254.2230 Format and Specifications

- a) All proposals submitted to the State Board of Education shall be typewritten, double-spaced, on one side of standard 8 1/2" X 11" unruled white paper, with the body of the proposal not to exceed forty pages.
- b) All proposals shall include each of the following sections and may include an appendix containing such supportive materials as the applicant may deem appropriate:
 - 1) Funding Agreement Form. The completed funding agreement form for vocational and technical education provided by the State Board of Education. This page will constitute the cover page of the proposal; no other page should precede it.
 - 2) Assurances. The statement of assurances shall be submitted on the form provided by the State Board of Education as outlined

in Section 254.2235 of this Part and shall be signed by the responsible agency official. The body of the proposal must indicate agency efforts planned to comply with the assurances.

- 3) ~~2)~~ Proposal Abstract. The proposal abstract shall summarize the essential elements of the proposal set forth in subsection 4b)(4).
- 4) ~~3)~~ Budget. The proposed budget shall be itemized under the five expenditure categories of salaries-personnel, materials (supplies), transportation (travel), and supporting services-other-related expenses (contractual services)-and shall indicate for each expenditure category the amount requested from the State Board of Education, the total contribution, if any, and the total budget amount. Conform to budgetary guidelines set forth in Section 254.2245 of this Part.

5) ~~4)~~ Narrative Description. The narrative description of the proposed activity shall include the following sections:

- A) an introduction, presenting a rationale for the proposed project, including a brief summary of the project goals and anticipated benefits and describing the general design of the project;
- B) the objectives of the proposed project, related to the project goals and stated in precise terms to facilitate assessment of the degree to which the objectives are achieved; identifying the target population, the outcomes expected, and the conditions of time and place under which the outcomes are to be obtained;
- C) a detailed description of the procedures to be utilized to accomplish each objective, including for each procedure a cross-reference to the specific objective(s) it is designed to help accomplish, a description of the procedure, the dates when the procedure will be implemented and completed, the names of staff members responsible for the procedure, the materials and equipment or facilities necessary to conduct the procedure, and the target populations to be served;
- D) a description of the specific techniques to be used in periodic assessment of progress toward meeting project goals and in evaluation of the degree to which objectives of the project have been achieved, indicating for each technique listed, the specific procedures and/or

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objectives it is designed to evaluate, the dates when the technique will be utilized, and the criteria or standards to be used to assess the accomplishment of evaluated procedures and/or objectives;

Section 254.2235 Assurance Form

All proposals submitted shall include the following assurances provided on a form supplied by the State Board of Education:

- E) an outline of plans proposed for the dissemination of products resulting from the project, listing dissemination goals, outcomes, activities, target audiences, staff responsible, and follow-up efforts to collect information related to the effectiveness of each dissemination activity and the extent to which the outcome is used;
 - F) an impact statement describing the anticipated outcomes of the proposed project in terms of the target populations affected and the precise nature of the intended consequences (e.g., increased employment rates for graduates); and
 - G) a time-specific, month-by-month chart of events necessary to complete the project, showing the procedures, evaluation techniques, and dissemination activities in the specific month in which they will occur.
- 5) Qualifications of Project Personnel. The proposal shall identify project and consultative staff by name and title, indicating the pertinent qualifications and project involvement of each, or if staff have not been identified, the proposal shall indicate the qualifications necessary for persons to be selected for specified tasks.
- 6) Facilities Other Resources. The proposal shall identify any special facilities or other resources which are needed or which will facilitate completion of the project, and when the cooperation of other companies, organizations, schools or agencies is essential to the conduct of the project, the proposal shall indicate the availability of such facilities or other resources for project purposes, extent and nature of possible cooperative arrangements.
- 7) Deliverables. The proposal shall include a detailed description of the project reports and final products to be provided to the State Board of Education, as provided in Section 254.2255(a)(4) and (5).

a) The applicant has the necessary legal authority to apply for and to receive the proposed contract. (Attach a copy of the substantiating document.)

b) The activities and services for which assistance is sought under this program will be administered by or under the supervision of the applicant.

c) In planning the program proposed in the application, there has been and, in establishing and carrying out the program, there will be participation of persons broadly representative of the cultural and educational resources of the area to be served, including persons representative of the interests of potential beneficiaries.

d) No funds received under this contract shall be used to supplant funds normally budgeted for the planning of services of the same type.

e) The applicant will obey all laws in prohibiting discrimination on the basis of race, color, national origin, sex, age or handicap, and all other laws applicable to its program, including but not limited to, the Carl D. Perkins Vocational Education Act (20 U.S.C. 2301 et seq.), "An Act in relation to vocational education" (11. Rev. Stat. 1987, ch. 122, par. 694 et. seq.), The School Code (11. Rev. Stat. 1987, ch. 122, par. 1-1 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Illinois Human Rights Act (11. Rev. Stat. 1987, ch. 68, par. 1-101 et seq.), the Education of the Handicapped Act (20 U.S.C. 1401 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), and Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.).

f) The filing of the application has been authorized by the governing body of the applicant, and the governing body's representative has been duly authorized to file the application for and in behalf of said applicant, and otherwise to act as the authorized representative of the applicant in connection with the application.

g) The applicant will submit all required reports and will comply with all graphic and design standards established by the State Board of Education for project publications.

h) The applicant understands and agrees to the following conditions of the proposed contract:

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89.)

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- 1) The Illinois State Board of Education assumes rights to all materials and/or products developed in the project.
- 2) Payment of all services and expenses will be made on a reimbursement-of-cost basis. Dates of payment will be negotiated to insure that the State Board of Education reimburses only for completed performance. Further, the applicant understands that the actual payment of contractual expenditures may require 6-12 weeks after an application for reimbursement is submitted to the State Board of Education.
- 3) The State Board of Education reserves the right to approve all program, budget and staff changes. Changes will be approved if the proposed distribution of resources or activities would have been approvable within the original application.
- 4) Either party may prematurely terminate the contract should funds not become available or unsatisfactory progress be documented toward meeting the intended outcomes of the contract (e.g., information from program reports, site visits, or audit reports indicates failure to perform the work as agreed and failure to perform the work as agreed and failure to take timely remedial action as called for in writing by the State Board of Education).

(Source: Added at 13 Ill. Reg. 8459, effective 5/22/89)

Section 254.2245 Budgetary Guidelines

All budgets submitted as a part of a proposal for vocational education funding under this Subpart shall be shown in three columns, specifically: Budget Request from Illinois State Board of Education, Local Contribution, and a Total Budget column. Local Contribution includes all auditable project expenditures incurred by an agency. Nonauditable in-kind contributions may be listed on a separate sheet attached to the budget. Local contributions are not required, except as specified by federal regulations, the authority for which will be identified on the application form for the affected program. Where none are provided, a zero must be entered in the budget line. The presence or absence of in-kind contributions where they are not required will be in no way affect the rating of an applicant's proposal. All budget amounts should be rounded up to the nearest whole dollar. Budgets must be itemized under the following six budget categories as set forth in 23 Ill. Adm. Code 110 (Program Accounting Manual): Salaries; Employee Benefits; Purchased Services; Staff Travel; Supplies and Materials; and Indirect Costs. An expenditure function code is required for each object code. State Board of Education staff will assist project personnel in determining appropriate expenditure function codes during final contract negotiations. Budgets should be itemized under the allowable budget categories as follows:

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- a) Salaries--Projected expenditures for salaries, including anticipated annual salary increases for personnel performing direct project services. Indicate job title, percentage of time for the project, and a benchmark such as per day or per month.
- b) Employee Benefits--Benefits such as health insurance and retirement contributions.
- c) Purchased Services--Anticipated expenditures for services rendered through agreements with an individual or agency. Individuals performing contractual services are not eligible for employee benefits accruing to staff members. They may be eligible to receive consulting fees plus travel, lodging, and per diem at rates in accordance with the applicant's locally adopted policy. Consultant travel must be shown here and not under the travel category. Items rented for use during the term of a funding agreement are considered to be a purchased service. Funds may not be spent to pay for meals served in conjunction with a meeting, conference, or other such gathering required as part of the funded agency's contractual responsibilities to the state.
- d) Staff Travel--Anticipated project staff travel. Travel shall be computed according to rates set forth in the applicant's locally adopted policy and include travel, per diem, lodging, and other expenses such as tolls and parking. No out-of-state travel is authorized unless approved in advance by the State Board of Education, Department of Adult, Vocational and Technical Education. If out-of-state travel is a required project activity, detailed budget notes for each trip must be developed to include names of travelers, type of activity planned, date of activity, estimated expenses of trip, and justification for participation in the activity. Out-of-state travel will be approved only if it has direct relationship or benefit to the conduct of a project. For any such trip not included and approved in the original project budget, specific written request must be made and approved prior to the trip occurring.
- e) Supplies and Materials--Include anticipated expenditures for those materials and supplies required to conduct the project. Only expenses in excess of the regular agency operational costs and necessary to conduct the project should be shown. Costs must be itemized. Unless otherwise approved by the State Board of Education, nonconsumable materials such as resource materials, reference books, or reports remain the property of, and must be delivered to, the State Board of Education at the end of the project's funding.

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- f) Indirect Costs--Indirect costs for universities and private firms are restricted to 8% of the total direct costs. Indirect costs for community colleges and educational service regions are computed at the statewide average. Elementary and secondary schools are limited to their restricted indirect cost rate. Local educational agencies which do not comply with all requirements of the State Board of Education accounting system are not eligible to claim indirect costs against the funding agreement.

(Source: Added at 13 Ill. Reg. 8459, effective 5/22/89)

Section 254.2255. Stipulations

- a) Each applicant submitting a proposal to the State Board of Education in accordance with the provisions of this Subpart shall agree to the following stipulations:

- 1) The State Board of Education reserves the right to reject any proposal received if it is determined that the proposal does not conform to the requirements of Section 254.2230 or if funds should be limited for any reason.
- 2) The proposal, as well as all written and/or audio-visual materials produced, shall be gender-neutral in word, image, and inference.
- 3) Equal and fair consideration of all populations regardless of race, sex, color, national origin, religion, age, or handicap shall be given in the selection of project personnel, advisory or steering committee members, and in other activities operated as part of the project.
- 4) A final report is required for all projects; the number of copies is specified in each Request for Proposals or will be negotiated. Periodic progress reports are to be filed as negotiated. The required number of copies of a final product is specified in the Request for Proposals or will be negotiated.
- 5) The State Board of Education is the final approving authority for all reports and products occurring as integral parts of any funding agreement resulting from a Request for Proposals. Their content and standards will be negotiated with the applicant prior to signing the contract.
- 6) The State board of Education reserves the right to copyright any materials developed under funding agreements resulting from a Request for Proposals.

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- b) The funded agency may enter into agreements for part of the services or facilities to be provided under the project by other persons, public or private agencies, or institutions. Such agreement shall describe the services or facilities of the subcontractor and shall contain the provision that the funded entity retains supervision and administrative control over the performance of the subcontract with respect to the agreements contained therein.
- 1) Services or facilities to be provided by subcontract or agreement shall be specified in the proposal.
 - 2) Subcontractors shall provide to the funded agency such assurances as are applicable to the service to be provided.
 - 3) Services provided by subcontractors are not eligible for indirect costs.
 - 4) If subcontractors are to be used, the proposal must indicate their qualifications and specific duties and responsibilities for the project.
 - 5) Approval of subcontracts will be subject to the same criteria as are applied to the original project application.

(Source: Added at 13 Ill. Reg. 8459, effective 5/22/89)

SUBPART W: VOCATIONAL PERSONNEL INSTRUCTION PRACTICUM

Section 254.2310 Applicability

- a) The provisions of this Subpart are authorized by Section 2-3.68 of The School Code (Ill. Rev. Stat. 1985 1987, ch. 122, par. 2-3.68), as amended by P.A.-84-1334, effective September 9, 1986, and referred to herein as the Vocational Personnel Instruction Practicum. This provision of The School Code authorizes the State Board of Education to award grants to specified public vocational education personnel who are placed in short-term employment in the private or public sector during periods outside the school year to improve and update their vocational skills. IN THE CASE OF VOCATIONAL EDUCATION TEACHERS IN THE FIELD OF CORRECTIONS SUCH PLACEMENTS MAY TAKE PLACE DURING THE SCHOOL YEAR AND ANY SUCH TEACHER MAY USE HIS OR HER GRANT TO HIRE ANOTHER QUALIFIED TEACHER TO SUBSTITUTE FOR HIM OR HER AS NEEDED DURING THE TERM OF THE GRANT.

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- b) For the purposes of this Subpart, the terms "personnel," "individual(s)," and "applicant(s)" mean teachers, counselors, or administrators employed in public school vocational education programs. Teachers and administrators applying under this program must spend more than fifty percent of their time in vocational education in order to be eligible.

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)

Section 254.2320 Allocation of Funds

The State Board of Education will allocate funds to the Education Service Centers, established pursuant to 23 Ill. Adm. Code 500, for the participation of individuals in the Vocational Personnel Instruction Practicum. The allotment for each Center shall be proportional to the amounts received by school districts within each Educational Service Center's jurisdiction for the prior year's vocational education reimbursement in relation to the total pool of funds available for vocational education formula distribution. Separate allotments will be computed in the same manner for postsecondary agencies that receive formula funding for Vocational Education served by each Educational Service Center. Grants awarded by the State Board of Education to secondary and postsecondary public school vocational education personnel shall be in amounts not to exceed \$2,000 per individual.

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)

Section 254.2330 Submission of Applications

- a) Individuals shall submit applications, on forms provided by the State Board of Education, for grants for the Vocational Personnel Instruction Practicum to their respective Educational Service Centers. In the case of secondary school personnel, applications shall be made to the Educational Service Center which serves their district. In the case of postsecondary personnel, applications shall be made to the Educational Service Center which serves the area within which the agency's main campus is located. No less than forty-five days shall be allotted for public school personnel to complete the Vocational vocational application form prior to the due date established by each Educational Service Center the State Board of Education for receipt of applications.

- b) Applications may be submitted by individual schools, area vocational centers, and postsecondary agencies on behalf of their vocational education personnel in the manner prescribed in subsection (a) of this Section.

- c) Each completed application must be signed by the applicant(s) and private employer(s) and must contain at least the following information for each applicant.

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- 1) Name and home address.
- 2) Present employment, including job title, and the name and address of the employing public school.
- 3) Description of professional-development-experiences-in-which the applicant has participated during the preceding five (5) years. A completed Education Plan in accordance with Section 254.2340(a)(5) and (6).

- 4) Description of the proposed-practicum-experience, including:

A) a description of the training-proposed-to-be-received, its purpose, methods-and-duration-when-the-practicum includes-a-period-of-orientation-this-may-occur-during periods-of-the-regular-school-year-when-school-is-not-in session; and

B) a description of how the practicum-experience-is-expected-to-improve-the-knowledge-and-skills-of-the-applicant-in areas-relevant-to-the-applicant's-teaching-counseling, or-administrative-responsibilities.

- 5) Where the proposed-practicum-is-located-more-than-50-miles outside-the-State-of-Illinois, evidence-must-be-provided-that no-comparable-experience-is-available-within-Illinois.

- 6) A statement of the amount of the grant award requested, not to exceed \$2,000 per individual and including:

A) terms of payment, (i.e., weekly or bi-monthly) not to exceed \$250-per-week \$50 per day; and

B) where applicable (See Section 254.2350(c)(4) of this Subpart), the amount to be paid by the employer directly to the teacher, counselor, or administrator, or directly to the state, by means of a check payable to the State Board of Education and forwarded to the Board's Springfield office.

- d) Applications shall be reviewed by the Educational Service Centers and recommended for the approval of the State Superintendent of Education in accordance with the procedures set forth in Sections 254.2340 and 254.2350 of this Subpart.

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)

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Section 254.2340 Administration

- a) The Educational Service Centers will be responsible for administering the Vocational Personnel Instruction Practicum including, but not limited to:
- 1) promoting the program with vocational education personnel, local school districts, and postsecondary agencies as well as the private sector; and public sectors;
 - 2) encouraging the involvement of universities in the grant recipient's practicum experience;
 - 3) disbursing grants to personnel for participation in the program;
 - 4) conducting evaluation activities for making annual improvements in the program;
 - 5) the use of a standard application form provided by the State Board of Education for Vocational Personnel Instruction Practicum applicants; and which includes an Education Plan. The Education Plan shall contain the information necessary to:
 - A) ASSESS THE APPLICANT'S POTENTIAL TO ACQUIRE PRACTICAL KNOWLEDGE AND SKILLS which will improve his or her performance in the vocational education program;
 - B) ASSESS THE APPLICANT'S COMMITMENT BASED ON PRIOR PARTICIPATION IN PROFESSIONAL DEVELOPMENT EXPERIENCES directly related to his or her area(s) of instruction; and
 - C) ASSESS THE RELEVANCE OF THE PRACTICUM EXPERIENCE TO THE APPLICANT'S PROFESSIONAL DEVELOPMENT as a teacher, counselor, or administrator and/or to new and emerging programs in the applicant's local area.
- 6) Each applicant shall provide the following descriptions in his or her Education Plan, which will be used by the review panel to rate the application relative to subsections (A), (B), and (C) above pursuant to the scale presented in subsection (7):
- A) A description of the professional development experiences within the last five years which have helped the applicant to improve teaching, counseling, or administrative skills.
 - B) A description of the inservice training need which the applicant wishes to address while on-site.

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- C) A description of what the applicant expects to know or be able to do as a result of participation in the Vocational Instruction Practicum.
 - D) A description of how participation in the Vocational Instruction Practicum will contribute to the improvement of the applicant's teaching, counseling, or administrative assignments.
- 7) 6) The use of standard evaluation forms provided by the State Board of Education to Judge Vocational Personnel Instruction Practicum applications. Evaluation criteria shall include, but not be limited to: Based on the information supplied by each applicant in his/her Education Plan, the review panel (see subsection (a)(8) of this Section) will rank applications and recommend them for funding according to the following procedures and standards:
- A) Each member of the review panel will complete a rating scale for the responses to each of the four statements in the applicant's Education Plan (see subsection (a)(5)(C)). Responses to the statements will be rated from one (low) to five (high).
 - B) The following standards apply to the rating of each response:
 - 1) For statement one, a rating of one through five shall be assigned which relates to the number of professional development experiences described by the applicant which in the judgment of the rater, have helped improve his/her teaching, counseling, or administrative skills.
 - 11) For statement two, a rating of four or five shall be assigned if in the rater's judgment the applicant specifically details the inservice need(s) to be addressed; a rating of two or three shall be assigned if in the rater's judgment the applicant generally details the inservice need(s) to be addressed; and a rating of one shall be assigned if in the rater's judgment the applicant insufficiently details the inservice need(s) to be addressed, while on-site.

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iii) For statement three, a rating of four or five shall be assigned if in the rater's judgment the applicant specifically details what he or she expects to know or be able to do; a rating of two or three shall be assigned if in the rater's judgment the applicant generally details what he or she expects to know and be able to do; a rating of one shall be assigned if in the rater's judgment the applicant insufficiently details what he or she expects to know and be able to do, as a result of participation in the Vocational Instruction Practicum.

iv) For statement four, a rating of four or five shall be assigned if in the rater's judgment the applicant specifically details how participation will contribute to the improvement; a rating of two or three shall be assigned if in the rater's judgment the applicant generally details how participation will contribute to the improvement; and a rating of one shall be assigned if in the rater's judgment the applicant insufficiently details how participation will contribute to the improvement of his or her teaching, counseling, or administrative assignments.

C) Review panel members list the total score for the four statements. The total scores earned serve to rank each applicant compared to all other applicants. Decisions to fund or not to fund a given applicant are made based on these rankings. The State Board of Education will allocate funds for approved applications based upon overall rankings, in the order of highest to lowest, up to the extent of funds available for this purpose, except that no applicant scoring fewer than eight points shall qualify for funding.

A) assessment of the applicant's potential to acquire practical knowledge and skills which will improve his or her performance in the vocational education program;

B) assessment of the applicant's commitment based on the applicant's prior participation in professional development experiences;

C) assessment of the relevance of the practicum experience to the applicant's professional development as a teacher, counselor, or administrator and/or to new and emerging programs in the applicant's local area; and

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B) where the applicant will be required to travel more than 50 miles out of state for the practicum, a determination based on evidence provided by the applicant that no comparable experience is available within Illinois.

8) The use of a regional panel to provide advice assistance to the Center for the selection of personnel to participate in the Vocational Personnel Instruction Practicum. The panel shall include two practicing vocational education teachers, one counselor, and one vocational administrator to represent secondary and postsecondary agencies; and one or more commerce, industry, and labor representatives from each education for employment system served by the Center. An education for employment system means a consortium of public high schools, area vocational centers, and local community college(s) whose members have agreed to foster area-wide vocational education programs.

9) The use of education for employment system personnel and postsecondary staff to provide advice, counsel, and promotion, and to work with local commerce, industry, and labor representatives in identifying sites for the practicum experiences needed by grant award recipients.

10) Submitting the following required reporting forms:

A) distribution, collection, and compilation of program evaluation/reporting information, and

B) filing final expenditure claims and program reports.

b) Each Educational Service Center shall, through a letter of agreement, submitted to the State Board of Education not later than April 30 of each year, request an allotment of funds equal to the sum of the recommended individual grant awards. Each letter of agreement submitted to the State Board of Education by an Educational Service Center shall specify the allotment amount as determined by recommended individual grant awards. Each letter of agreement shall be approved by the State Superintendent of Education if it includes the following information.

1) A copy of all applications recommended for approval.

2) A statement of assurance that in preparing recommendations for grant awards the Educational Service Center has followed the procedures and applied the criteria established in Section 254.2340 of this Subpart, and has records to substantiate this assurance.

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- 3) A list showing the amount of each recommended grant award, including a separate indication of the amount of an employer's contribution where applicable, and the sum of the grant awards requested.
- 4) A statement that grant awards which an Educational Service Center has not expended by August 31 in any calendar year shall be returned to the State Board of Education by the Center within 45 calendar days of that date, including the information required by Section 4 of the Grant Funds Recovery Act (Ill. Rev. Stat. 1985 1987, ch. 127, par. 2301 et seq.).

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)

Section 254.2350 Payment of Grant Funds

- a) Allotments to each Educational Service Center will be based on the allotment provided for in Section 254.2320 of this Subpart and the amount requested in the letter of agreement submitted by each Center pursuant to Section 254.2340 of this Subpart. Allotment amounts not requested or utilized by Educational Service Centers will be reallocated on an equal basis to other Centers whose requests exceed their allotments.

- b) Funds for grant awards shall be issued to Educational Service Centers by May 30 of each year.

- c) Payment of grant awards by an Educational Service Center to vocational education personnel selected to participate in the Vocational Personnel Instruction Practicum is subject to the following provisions:

- 1) Payment may only be made to public vocational education teachers, counselors, or administrators;

- 2) Grant Award award and payment of funds to personnel participating in the Vocational Personnel Instruction Practicum shall be made:

- A) at a rate not to exceed \$50 per day up to a total of \$2000. A practicum day is defined as the standard working day for the business or industry, and it must not be less than five nor more than eight hours of continuing education time \$250 per each full week of 25 hours or more employment per week, or for employment of less than 25 hours per week at a rate of \$10 per hour, up to a total of \$2,000; and

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- B) on the basis of weekly or bi-monthly submission of an application by the grant recipient to the Educational Service Center for reimbursement on forms to be provided by the State Board of Education; the forms shall be signed by the grant recipient and employer as evidence of the recipient's participation in the program. These forms shall be kept by the Educational Service Centers for a minimum of three (3) years to substantiate personnel participation in the program.

- 3) Vocational education teachers, counselors, or administrators may participate in an employment experience more than 50 miles outside of the State of Illinois subject to the provisions of Section 254.2340-(a)(6)(D).

- 4) In those instances where the employer will benefit from an individual's employment, the individual's grant application shall indicate the nature and degree of benefit to be derived and shall be signed by the employer, who thereby agrees to contribute an amount, to be specified on the application, to that individual's award or directly to the state. This amount shall not be less than 30% of the total award requested (e.g., \$1400 from the state and \$600 from the employer). The private employer shall be deemed to benefit when the grant recipient will participate, in excess of the time required for a normal learning experience as determined by the employer, in the routine production of a product or service which will benefit the employer.

(Source: Amended at 13 Ill. Reg. 8459, effective 5/22/89)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances

2) Code citation: 41 Ill. Adm. Code 170

3) Section number: Adopted Action:

170.700 New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 127, par. 154

5) Effective date: May 23, 1989

6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
If "yes", please specify the date:

7) Do these adopted amendments contain incorporations by reference? Yes ☐
If "yes", was a copy of the approval form issued by JCAR attached to this rulemaking? This incorporation is pursuant to Section 6.02(a). No JCAR certification needed.

8) Date filed in agency's principal office: May 19, 1989

9) Date the Notice of Proposed Amendments was published in the "Illinois Register": These amendments were not proposed because they are adopted pursuant to Ill. Rev. Stat. 1987, ch. 127, par. 154.

10) Has JCAR issued a Statement of Objection to this (these) rule(s)? No
If answer is "yes", please complete the following:

A) Statement of Objection: _____, Ill. Reg. _____

B) Agency Response: _____, Ill. Reg. _____

C) Date Agency Response Submitted for Approval to JCAR: N/A

11) Difference(s) between proposal and final version: N/A

12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A

13) Will these amendments replace an emergency amendment currently in effect? No

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

14) Are there any other proposed amendments pending on this Part? Yes ☐
Section Numbers Proposed Action Illinois Register Citation

170.10	Amendment	13 Ill. Reg. 1756
170.71	New Section	13 Ill. Reg. 1756
170.72	New Section	13 Ill. Reg. 1756
170.73	New Section	13 Ill. Reg. 1756
170.75	Amendment	13 Ill. Reg. 1756
170.106	New Section	13 Ill. Reg. 1756
170.107	New Section	13 Ill. Reg. 1756
170.108	New Section	13 Ill. Reg. 1756

15) Summary and Purpose of Amendments: Pursuant to Ill. Rev. Stat. 1987, ch. 127, par. 154, the Office of the State Fire Marshal is to adopt 40 CFR, 280.

16) Information and questions regarding these adopted amendments shall be directed to:

John S. Moore
Director, Division of Petroleum and Chemical Safety
Office of the State Fire Marshal
3150 Executive Park Drive
Springfield, IL 62703-4599

The full text of the adopted amendments begins on the next page.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

TITLE 41 FIRE PROTECTION
CHAPTER I: OFFICE OF THE STATE FIRE MARSHAL

PART 170

STORAGE, TRANSPORTATION, SALE AND USE OF PETROLEUM AND OTHER
REGULATED SUBSTANCES

SUBPART A: MISCELLANEOUS

Section

- 170.10 Definitions
- 170.11 Incorporation of National Standards
- 170.15 Bulk Sales Prohibited
- 170.20 Storage Underground and Limited
- 170.30 Setting of Tanks (Repealed)
- 170.40 Clearance Required for Underground Tanks
- 170.41 Location
- 170.50 Material and Construction of Tanks
- 170.60 Venting of Tanks
- 170.65 Underground Tank Installations
- 170.70 Fill Pipes
- 170.71 Registration of Underground Storage Tanks
- 170.72 Late Registration Fee
- 170.75 Abandonment of Underground Storage Tanks (Renumbered)
- 170.76 Leaking Underground Tanks
- 170.80 Unloading Operations
- 170.90 Pumps
- 170.91 Labeling of Containers and Pumps
- 170.100 Piping
- 170.105 Approval of Plans
- 170.106 Installer, Repairer or Remover of Underground Storage Tanks
- 170.107 Tester of Underground Storage Tanks and Cathodic Protection
- 170.108 Pressure Testing
- 170.110 Building
- 170.115 Safe Heat Required
- 170.120 No Flammable or Combustible Liquids Within Building - Exception
- 170.130 Greasing Pits
- 170.140 Wash and Greasing Rooms
- 170.145 Fire Extinguishers
- 170.150 Self-Service - No Self-Service Without Permit; Procedures and Regulations
- 170.160 Care and Attendance
- 170.170 Fire Extinguishers (Repealed)
- 170.180 Sale of Fireworks
- 170.190 Approval of Plans (Repealed)
- 170.200 Defective Equipment
- 170.210 Deliveries from Portable Tanks Restricted
- 170.310 Unattended Self-Service Other Than Fleet Operations

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

SUBPART B: UNDERGROUND STORAGE TANKS -- TECHNICAL REQUIREMENTS

- 170.400 Definitions
- 170.410 Incorporations by Reference
- 170.420 Design, Construction, Installation and Notification of New UST Systems
- 170.430 Upgrading of Existing UST Systems
- 170.440 Notification Requirements
- 170.450 Spill and Overfill Control
- 170.460 Operation and Maintenance of Corrosion Protection
- 170.470 Compatibility
- 170.480 Repairs Allowed
- 170.490 Reporting and Recordkeeping
- 170.500 General Release Detection Requirements for All UST Systems
- 170.510 Release Detection Requirements for Petroleum UST Systems
- 170.520 Release Detection Requirements for Hazardous Substance UST Systems
- 170.530 Methods of Release Detection for Tanks
- 170.540 Methods of Release Detection for Piping
- 170.550 Release Detection Recordkeeping
- 170.560 Reporting of Suspected Releases
- 170.570 Investigation Due to Off-Site Impacts
- 170.580 Release Investigation and Confirmation Steps
- 170.590 Reporting and Cleanup of Spills and Overfills
- 170.600 Initial Response for UST Systems Containing Petroleum of Hazardous Substances
- 170.620 Temporary Closure of Out-of-Service UST Systems
- 170.630 Change-in-Service of UST Systems
- 170.640 Assessing the Site at Removal or Change-in-Service of UST Systems
- 170.650 Applicability to Previously Removed UST Systems
- 170.660 Removal or Change-in-Service Records
- 170.670 Abandonment of Underground Storage Tanks

SUBPART C: UNDERGROUND STORAGE TANKS -- FINANCIAL RESPONSIBILITY REQUIREMENTS

170.700 Incorporation by Reference

TABLE A SCHEDULE FOR PHASE-IN OF RELEASE DETECTION

TABLE B MANUAL TANK GAUGING: WEEKLY AND MONTHLY STANDARDS

AUTHORITY: Implementing and authorized by Section 2 of "AN ACT to regulate the storage, transportation, sale and use of gasoline and volatile oils" (Ill. Rev. Stat. 1987, ch. 127 1/2, par. 154)

SOURCE: Rules and Regulations Relating to Service Stations filed July 10, 1958; codified at 5 Ill. Reg. 10692; emergency amendment at 7 Ill. Reg. 1477, effective January 26, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 10058, effective June 29, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 9514, effective October 1, 1985; emergency amendment at 10 Ill.

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Reg. 12324, effective July 2, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 19976, effective January 5, 1987; amended at 12 Ill. Reg. 8023, effective April 26, 1988; emergency amendments at 13 Ill. Reg. 1886, effective January 27, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 5669, effective April 21, 1989; amended at 13 Ill. Reg. 7744, effective May 9, 1989; amended at 13 Ill. Reg. 8515, effective May 23, 1989.

SUBPART C: UNDERGROUND STORAGE TANKS -- FINANCIAL RESPONSIBILITY REQUIREMENTS

Section 170.700 Incorporation by Reference

The Office of the State Fire Marshal adopts by incorporation by reference 40 CFR 280, Subpart H, as adopted at 53 FR 43370, October 26, 1988. This Section incorporates no later editions or amendments.

(Source: Added at 13 Ill. Reg. 8515 effective May 23, 1989)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Minimum Standards For Individual and Group Medicare Supplement Insurance

2) Code Citation: 50 Ill. Adm. Code 2008

3) Section Numbers Adopted Action

2008.10	Amendment
2008.20	Amendment
2008.30	Amendment
2008.40	Amendment
2008.50	Amendment
2008.60	Amendment
2008.70	New Section
2008.71	Amendment
2008.80	New Section
2008.81	New Section
2008.82	Amendment
2008.90	Amendment
2008. Appendix A	Amendment
2008. Appendix B	Amendment
2008. Appendix C	New Section
2008. Appendix E	New Section
2008. Appendix F	New Section
2008. Appendix G	New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 73, pars. 975, 975(a) and 1013, as amended by P.A. 85-1174, effective August 13, 1988.

5) Effective Date of Amendments: May 23, 1989

6) Does this rulemaking contain an automatic repeal date? No.

7) Do these amendments contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: May 23, 1989

9) Notice of Proposal Published in Illinois Register: January 13, 1988, 13 Ill. Reg. 251

10) Has JCAR issued a Statement of Objection to this rule? No.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

11) Differences between proposal and final version:

- Section 208.10 - quotation marks in Lines 3 and 4 were deleted
- Section 208.20 - delete "regulation", add "Part"
- Section 208.30 - (a) In 1st line after "provided" add a comma; also delete "regulation", add "Part"
- (b)(1) After "policies" add "(Section 363(1)(b) of the Code)"
- (b)(2) After "plans" add "(Section 363(1)(b) of the Code)"
- Section 208.40
 - First line, delete "regulation" add "Part"
 - Definition of "Applicant"
 - place text in italics
 - change "certificateholder" to "certificate holder"
 - At end add "(Section 363(2)(a) of the Code)"
 - Definition of "Certificate"
 - place text in italics
 - At end add "(Section 363(2)(b) of the Code)"
 - Definition of "Medicare Supplement Policy"
 - Amend add "(Section 363(2)(c) of the Code)"
- Section 208.50
 - (a)(2) After, "provided" add "or available"
 - After, "similar law", add "or"
 - After, "by law" delete ", or injuries occurring while the insured person is engaged in any activity pertaining to any trade, business, employment, or occupation for wage or profit"

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NOTICE OF ADOPTED AMENDMENTS

- (g) At end add "(Section 363(2)(d) of the Code)"
- Delete all subsection labels
- Section 208.60
 - (a)(2) delete period, add semi-colon
 - (a)(3)(C) delete period, add semi-colon
- Section 208.70
 - (a) Delete "regulation" add "Part"
 - (b)(3) - last 3 lines rewritten to read "... Federal Regulation 42 CFR 409.87(a) under Medicare Part A unless replaced in accordance with Federal Regulation 42 CFR 409.87(b)(2)."
 - (b)(4)(A) - After 1990 add comma
 - (b)(4)(B) - 2nd line, add "20" before "percent."
 - Hyphenate "out-of-pocket"
 - (b)(5) - last 3 lines rewritten to read "... under Federal Regulation 42 CFR 410.161(a)], unless replaced in accordance with Federal Regulation 42 CFR 409.87(b)(2)."
 - (b)(7) - Delete text of subsection after colon, add "50% in 1990; 50% in 1991; 40% in 1992; and 20% in 1993 and thereafter"
- Section 208.71
 - (c) change "certificateholder" to "certificate holder"
 - change "contractholder" to "contract holder"
 - 5th line, change "contact" to "contract"
 - (d) 2nd line, after other add "entity providing"

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- Section 2008.80
 - (c) After "1988" add "(P.L.100-360)"
 - (c)(2) Delete "Illinois Insurance"
- Section 2008.81 Delete "Illinois Insurance" and ", as amended by P.A. 85-1174, effective August 13, 1988"
- Section 2008.82 Delete "Illinois Insurance" and ", as amended by P.A. 85-1174, effective August 13, 1988"
- Section 2008.90
 - (a)(1) 6th line, delete "of" add "or"
 - (c)(1) change "contractholders" to "contract holders" change "certificateholders" to "certificate holders"
 - (e) Delete "Illinois Insurance" and "(Ill. Rev. Stat. 1987, ch. 73, par. 967(a)(2)(a))"
 - Delete "Illinois Insurance" and "(Ill. Rev. Stat. 1987, ch. 73, par. 975)"
 - In Line 15 after "(POLICY OR CERTIFICATE)" add a period
- Section 2008. Appendix B, subsection (5)
 - In "Part A Inpatient Hospital Services" delete "564" and "560"
 - In "Part B Out-of-Pocket Maximum" delete "catastrophic limit each year"
 - In "Part B Outpatient Prescription Drugs" delete "500" add "550"
 - In "Part B Home IV-Drug Therapy" add a closed parenthesis after "hospital"
- Section 2008. Appendix E
 - In "Part A Services and Supplies" delete "564" add "560"

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- In second to last paragraph delete "charges" add "changes"
- In last paragraph after "COMPANY" delete "AND" add "OR"
- Section 2008. Appendix F
 - In second to last paragraph delete "charges" add "changes"
 - In last paragraph after "COMPANY" delete "ADD" and "OR"
- Section 2008. Appendix G
 - In "Part B Services and Supplies" after "Limit" place an asterisk
 - In second to last paragraph delete "charges" add "changes"
 - In last paragraph after "COMPANY" delete "AND" add "OR"
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will these amendments replace emergency amendments currently in effect? Yes.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments: These amendments implement resent amendments to State and Federal law regarding Medicare supplement insurance set forth in P.A. 85-1174 and the "Medicare Catastrophic Coverage Act of 1988", respectively. New and amended standards regarding minimum benefits, claims payments, loss ratio standards, filing and disclosure requirements have been adopted.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Charles Budinger
 Supervising Insurance Analyst
 Illinois Department of Insurance
 320 W. Washington Street, 4th Floor
 Springfield, Illinois 62767
 (217) 782-4572

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NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE
 CHAPTER 1: DEPARTMENT OF INSURANCE
 SUBCHAPTER 2: ACCIDENT AND HEALTH INSURANCE

PART 2008

MINIMUM STANDARDS FOR INDIVIDUAL AND GROUP
 MEDICARE SUPPLEMENT INSURANCE

Section
 2008.10
 2008.20
 2008.30
 2008.40
 2008.50
 2008.60
 2008.70
 2008.71
 2008.80
 2008.81
 2008.82

Authority
 Purpose
 Applicability and Scope
 Definitions
 Policy Definitions and Terms
 Prohibited Policy Provisions
 Minimum Benefit Standards
 Standards for Claims Payment
 Loss Ratio Standards
 Filing Requirements for Out-of-State Group Policies
 Prohibited Compensation for Replacement with the
 Same Company

2008.90
 2008.100
 2008.110
 2008.120

Required Disclosure Provisions
 Requirements for Replacement
 Severability
 Effective Date

APPENDIX A
 APPENDIX B
 APPENDIX C

Policy Checklist
 Outline of Medicare Supplement Coverage
 Notice to Applicant Regarding Replacement of
 Accident and Sickness Insurance (Response Other
 Than Direct)

APPENDIX D

Notice to Applicant Regarding Replacement of
 Accident and Sickness Insurance (Direct Response)

APPENDIX E

NOTICE ON MEDICARE CHANGES - 1989

APPENDIX F

NOTICE ON MEDICARE CHANGES - 1990

APPENDIX G

NOTICE ON MEDICARE CHANGES - 1991

AUTHORITY: Implementing Sections 363 and 363(a) and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 975, 975a and 1013, as amended by P.A. 85-1174, effective August 13, 1988).

SOURCE: Adopted at 6 Ill. Reg. 7115, effective June 1, 1982; adopted at 6 Ill. Reg. 7115, effective January 1, 1983; codified at 7 Ill. Reg. 3474; emergency amendments at 13 Ill. Reg. 586, effective January 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 8520, effective May 23, 1989.

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- 1) Individual policies or contracts issued pursuant to a conversion privilege under a policy or contract of group or individual insurance when such group or individual policy or contract includes provisions which are inconsistent with the requirements of this regulation, or "Accident Only" or "Specified Disease" types of policies (Section 363(1)(b) of the Code), or
- 2) Medicare supplement policies issued to employees or members as additions to franchise plans in existence on the effective date of this regulation. Policies or health care benefit plans, including group conversion policies, provided to Medicare eligible persons, which policies or plans are not marketed or purposed or held to be Medicare supplement policies or benefit plans (Section 363(a)(b) of the Code).

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 208.40 Definitions

For the purposes of this regulation Part:

"Applicant" means:

in the case of an individual Medicare supplement policy or subscriber contract, the person who seeks to contract for insurance benefits; and

in the case of a group Medicare supplement policy or subscriber contract, the proposed certificate holder (Section 363(2)(a) of the Code).

"Certificate" means any certificate issued under a group Medicare supplement policy which policy certificate has been delivered or issued for delivery in this State (Section 363(2)(b) of the Code).

"Code" means the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 613, et seq.).

"Medicare Supplement Policy" means a policy issued to an individual or group which is advertised, marketed or designed primarily as a supplement to reimbursement

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

Section 208.10 Authority

This Part is issued by the Director of Insurance pursuant to Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 1013) which empowers the Director ... to make reasonable rules and regulations as may be necessary for making effective ... the insurance laws of this State. This Part implements Section 363 and 363(a) of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 975 and 975(a)).

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 208.20 Purpose

The purpose of this regulation Part is to provide for the reasonable standardization of coverage and simplification of terms and benefits of Medicare supplement policies; to facilitate public understanding and comparison of such policies; to eliminate provisions contained in such policies which may be misleading or confusing in connection with the purchase of such policies or with the settlement of claims; and to provide for full disclosures in the sale of accident and sickness insurance coverages to persons eligible for Medicare by reason of age.

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 208.30 Applicability and Scope

- a) Except as otherwise specifically provided, this regulation Part shall apply to:

- 1) All Medicare supplement policies and subscriber contracts delivered, or issued for delivery, renewed or amended in this State on or after the effective date hereof; and
- 2) All certificates issued under group Medicare supplement policies or subscriber contracts, which policies or contracts have been delivered or issued for delivery in this State.

- b) This Part shall not apply to:

DEPARTMENT OF INSURANCE

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under Medicare for the hospital, medical and surgical expenses of persons eligible for Medicare by reason of age. Such term does not include group or individual policy of Accident and Health insurance or subscriber contract delivered or issued for delivery in this State by an insurer, fraternal benefit society, nonprofit health, hospital or medical service corporation, prepaid health plan, or any similar organization which is advertised, marketed or designed primarily as a supplement to reimbursements under Medicare for the hospital, medical or surgical expenses of persons eligible for Medicare by reason of age (Section 363(2)(c) of the Code).

A policy or contract of one or more employers or labor organizations, or of the trustees of a fund established by one or more employers or labor organizations, or combination thereof, for employees or former employees, or combination thereof, or for members or former members, or combination thereof, of the labor organizations, or

A policy or contract of any professional, trade or occupational association for its members or former or retired members, or combination thereof, if such association:

is composed of individuals all of whom are actively engaged in the same profession, trade or occupation;

has been maintained in good faith for purposes other than obtaining insurance; and

has been in existence for at least two (2) years prior to the date of its initial offering of such policy or plan to its members;

Individual policies or contracts issued pursuant to a conversion privilege under a policy or contract of group or individual insurance when such group or individual policy or contract includes provisions which are inconsistent with the requirements of this Act.

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Section 2008.50 Policy Definitions and Terms

No insurance policy or subscriber contract may be advertised, solicited or issued for delivery in this State as a Medicare supplement policy unless such policy or subscriber contract contains definitions or terms which conform to the requirements of this Section.

"Accident," "Accidental Injury" or "Accidental Means" shall be defined to employ "result" language and shall not include words which establish an accidental means test or use words such as "external, violent, visible wounds" or similar words of description or characterization.

The definition shall not be more restrictive than the following: "Injury or injuries for which benefits are provided means accidental bodily injury sustained by the insured person which is the direct cause of loss, independent of disease or bodily infirmity and occurring while the insurance is in force."

Such definition may provide that injuries shall not include injuries for which benefits are provided or available under any workers' compensation, employer's liability or similar law, or motor vehicle no fault plan, unless prohibited by law. or injuries occurring while the insured person is engaged in any activity pertaining to any trade, business, employment, or occupation for wage or profit.

"Benefit Period" or "Medicare Benefit Period" shall not be defined as more restrictive than as that defined in the Medicare program.

"Convalescent Nursing Home," "Extended Care Facility," or "Skilled Nursing Facility" shall be defined in relation to status, facilities and available services.

A definition of such home or facility shall not be more restrictive than one requiring that it:

be operated pursuant to law;

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be approved for payment of Medicare benefits or be qualified to receive such approval, if so requested.

be primarily engaged in providing, in addition to room and board accommodations, skilled nursing care under the supervision of a duly licensed physician;

provide continuous twenty-four (24) hours a day nursing service by or under the supervision of a registered graduate professional nurse (R.N.); and

maintains a daily medical record of each patient.

The definition of such home or facility may provide that such term shall not be inclusive of:

any home, facility or part thereof used primarily for rest;

a home or facility for the aged or for the care of drug addicts or alcoholics; or

a home or facility primarily used for the care and treatment of mental diseases or disorders, or custodial or educational care.

"Duplication of Insurance" means a transaction wherein new accident and health insurance is to be purchased and it is known to the agent or should be known to the agent or the insurer; in the case of a direct response solicitation, that the new insurance will provide some of the benefits or coverages which the proposed insured already has under existing accident and health insurance.

"Health Care Expenses" mean expenses of a nonprofit health, hospital or medical service corporation, prepaid health plan or similar organization associated with the delivery of health care services in which providers of the health care services are reimbursed for such services on an other than fee for service basis which are analogous to incurred losses of insurers. Such expenses shall not include:

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Home office and overhead costs

Advertising costs

Commissions and other acquisition costs

Taxes

Capital costs

Administrative costs, or

Claims processing costs.

"Hospital" may be defined in relation to its status, facilities and available services or to reflect its accreditation by the Joint Commission on Accreditation of Hospitals.

The definition of the term "hospital" shall not be more restrictive than one requiring that the hospital:

be an institution operated pursuant to law; and

be primarily and continuously engaged in providing or operating medical and diagnostic facilities, with major surgical facilities either on its premises or in facilities available to the hospital on a prearranged basis, under the supervision of a staff of duly licensed physicians for the medical care and treatment of sick or injured persons on an inpatient basis for which a charge is made; and provide twenty-four (24) hour nursing service by or under the supervision of registered graduate professional nurses (R.N.'s);

The definition of the term "hospital" may state that such term shall not be inclusive of:

convalescent, rest, or nursing home or facilities; or

facilities primarily affording custodial, educational or rehabilitatory care.

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facilities for the aged, drug addicts or alcoholics; or

any military or veterans hospital or soldiers home or any hospital contracted for or operated by any national government or agency thereof for the treatment of members or ex-members of the armed forces, except for services rendered on an emergency basis where a legal liability exists for charges made to the individual for such services.

"Medicare" shall be defined as "The Health Insurance for the Aged Act, Title XVIII of the Social Security Amendments of 1965 as Then Constituted or Later Amended", or Public Law 89-97, as Enacted by the Eighty-Ninth Congress of the United States of America and popularly known as the Health Insurance for the Aged Act, "42 U.S.C. 1395 et seq." as then constituted and any later amendments or substitutes thereof, or words of similar import including the "Medicare Catastrophic Coverage Act of 1988 (Section 363(2)(d) of the Code).

"Medicare Eligible Expenses" shall mean health care expenses of the kinds covered by Medicare, to the extent recognized as reasonable by Medicare. Payment of benefits by insurers for Medicare eligible expenses may be conditioned upon the same or less restrictive payment conditions including: determinations of medical necessity, as are applicable to Medicare claims.

"Mental or Nervous Disorders" shall not be defined more restrictively than a definition including neurosis, psychoneurosis, psychopathy, psychosis or mental or emotional disease or disorder of any kind.

"Nurses" may be defined so that the description of nurse is restricted to a type of nurse, such as registered graduate professional nurse (R.N.), a licensed practical nurse (L.P.N.), or a licensed vocational nurse (L.V.N.). If the words "nurse," "trained nurse" or "registered nurse" are used without specific instruction, then the use of such terms require the insurer to recognize the services of any individual who qualifies under such terminology in accordance with the

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applicable statutes or administrative rules of the licensing or registry board of the state.

"Over-Insurance" means "duplication" of insurance to such extent that the combination of the existing insurance and the proposed insurance would substantially exceed any loss reasonably expected to be incurred.

"Physician" may be defined by including words such as "duly qualified physician" or "duly licensed physician." The use of such terms requires an insurer to recognize and to accept, to the extent of its obligation under the contract, all providers of medical care and treatment when such services are within the scope of the provider's licensed authority and are provided pursuant to applicable laws dealing with physician licensure.

"Sickness" shall not be defined to be more restrictive than the following: "Sickness means sickness or disease of an insured person which first manifests itself after the effective date of insurance and while the insurance is in force." The definition may be further modified to exclude sicknesses or diseases for which benefits are provided under any workers' compensation, occupational disease, employer's liability or similar law.

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 2008.60 Prohibited Policy Provisions

a) No insurance policy or subscriber contract may be advertised, solicited or issued for delivery in this State as a Medicare supplement policy if such policy or subscriber contract limits or excludes coverage by type of illness, accident, treatment or medical condition, except as follows:

- 1) foot care in connection with corns, calluses, flat feet, fallen arches, weak feet, chronic foot strain, or symptomatic complaints of the feet;
- 2) mental or emotional disorders, alcoholism and drug addiction;

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- 3) illness, treatment or medical condition arising out of:

- A) war or act of war (whether declared or undeclared); participation in a felony, riot or insurrections; service in the armed forces or units auxiliary thereto;
- B) suicide (sane or insane), attempted suicide or intentionally self-inflicted injury;
- C) aviation;

- 4) cosmetic surgery, except that "cosmetic surgery" shall not include reconstructive surgery when such service is incidental to or follows surgery resulting from trauma, infection or other diseases of the involved part;

- 5) ~~treatment provided in a governmental hospital; benefits provided under Medicare or other governmental program (except Medicaid), any state or federal workers' compensation, employer's liability or occupational disease law, or any motor vehicle no-fault law; services rendered by employees of hospitals, laboratories or other institutions; services performed by a member of the covered person's immediate family and services for which no charge is normally made in the absence of insurance;~~

- 6) dental care or treatment;

- 7) eye glasses, hearing aids, and examination for the prescription or fitting thereof;

- 8) rest cures, custodial care, transportation and routine physical examinations;

- 9) territorial limitations;

provided, however, Medicare supplement policies may not contain, when issued, limitations or exclusions of the type enumerated above that are more restrictive than those of Medicare. Medicare supplement policies may exclude coverage for any expense to the extent of any benefit available to the insured under Medicare.

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- b) No Medicare supplement policy may use waivers to exclude, limit, or reduce coverage or benefits for specifically named or described pre-existing diseases or physical conditions.

- c) The terms "Medicare Supplement", "Medigap" and words of similar import shall not be used unless the policy complies with this Part.

- d) No Medicare supplement insurance policy, contract or certificate in force in the State shall contain benefits which duplicate benefits provided by Medicare.

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 208.70 Minimum Benefit Standards

No insurance policy or subscriber contract may be advertised, solicited or issued for delivery in this State as a Medicare supplement policy which does not meet the following minimum standards. These are minimum standards and do not preclude the inclusion of other provisions or benefits which are not inconsistent with these standards.

a) General Standards.

The following standards apply to Medicare supplement policies and are in addition to all other requirements of this regulation part.

- 1) A Medicare supplement policy may not deny a claim for losses incurred more than six (6) months from the effective date of coverage for a pre-existing condition. The policy may not define a pre-existing condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within six (6) months before the effective date of coverage.
- 2) A Medicare supplement policy may not indemnify against losses resulting from sickness on a different basis than losses resulting from accidents;
- 3) A Medicare supplement policy shall provide that benefits designed to cover cost sharing amounts

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under Medicare will be changed automatically to coincide with any changes in the applicable Medicare deductible amount and copayment percentage factors. Premiums may be modified to correspond with such changes;

- 4) A "noncancellable," "guaranteed renewable," or "noncancellable and guaranteed renewable" Medicare supplement policy shall not:

A) provide for termination of coverage of a spouse solely because of the occurrence of an event specified for termination of coverage of the insured, other than the nonpayment of premium, or

B) be cancelled or nonrenewed by the insurer solely on the grounds of deterioration of health; and

- 5) Termination of a Medicare supplement policy shall be without prejudice to any continuous loss which commenced while the policy was in force, but the extension of benefits beyond the period the policy was in force may be predicated upon the continuous total disability of the insured, limited to the duration of the policy benefit period, if any, or payment of the maximum benefits.

b) Minimum Benefit Standards.

- 1) Coverage, unless rejected by the insured, for the expense incurred in an amount equal to the inpatient hospital deductible as determined under Medicare. Coverage for either all or none of the Medicare Part A inpatient hospital deductible amount.
- 2) Coverage of Part A Medicare-eligible expenses for hospitalization to the extent not covered by Medicare from the 61st day through 90th day in any Medicare benefit period. Coverage for the daily copayment amount of Medicare Part A eligible expenses for the first 8 days per calendar year incurred for skilled nursing facility care.

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- 3) Coverage of Part A Medicare-eligible expenses incurred as daily hospital charges during use of Medicare's lifetime-hospital-inpatient-reserve days. Coverage for the Medicare reasonable cost of the first 3 pints of blood [or equivalent quantities of packed red blood cells, as defined under Federal Regulation 42 CFR 409.87(a)(1989)] under Medicare Part A unless replaced in accordance with Federal Regulation 42 CFR 409.87(b)(2)(1989).

- 4) Upon exhaustion of all Medicare-hospital-inpatient coverage including the lifetime-reserve days, coverage of 90% of all Medicare-Part A-eligible expenses for hospitalization not covered by Medicare subject to a lifetime-maximum-benefit-of-an-additional-365-days.

A) Until January 1, 1990, coverage for 20% of the amount of Medicare eligible expenses under Part B regardless of hospital confinement, subject to a maximum calendar year out-of-pocket deductible of \$200 of such expenses and to a maximum benefit of at least \$5,000 per calendar year.

B) Effective January 1, 1990, coverage for the copayment amount (20 percent) of Medicare eligible expenses excluding outpatient prescription drugs under Medicare Part B regardless of hospital confinement up to the maximum out of pocket amount for Medicare Part B after the Medicare deductible amount.

- 5) Coverage of 20% of the amount of Medicare-eligible expenses under Part B regardless of hospital confinement, subject to a maximum-calendar-year out-of-pocket-deductible-of-\$200-of-such-expenses and to a maximum-benefit-of-at-least-\$5,000-per-calendar-year. Effective January 1, 1990, coverage under Medicare Part B for the Medicare reasonable cost of the first 3 pints of blood [or equivalent quantities of packed red blood cells, as defined under Federal Regulation 42 CFR 410.161(a)(1989)], unless replaced in accordance with Federal Regulation 42 CFR 409.87(b)(2)(1989).

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- 6) Effective January 1, 1990, coverage for the copayment amount (20 percent) of Medicare eligible expenses for covered home intravenous (IV) therapy drugs (as determined by the Secretary of Health and Human Services) subject to the Medicare outpatient prescription drug deductible amount, if applicable.
- 7) Effective January 1, 1990, coverage for the copayment amount (20 percent) of Medicare eligible expenses for outpatient drugs used in immunosuppressive therapy, subject to the Medicare outpatient prescription drug deductible, if applicable.

Agency Note: The percentages bracketed above are intended to mean the copayment amounts, whatever those amounts are. Some of the percentages may vary in future years. In subsection (7), for example, the copayment for drugs used in immunosuppressive therapy during the first year following a covered transplant is 20 percent. During the second and subsequent years following a covered transplant and during any year following a non-covered transplant, the copayments are: 50% in 1990; 50% in 1991, 40% in 1992; and 20% in 1993 and thereafter.

c) Medicare Eligible Expenses.

Medicare eligible expenses shall mean health care expenses of the kinds covered by Medicare, to the extent recognized as reasonable by Medicare. Payment of benefits by insurers for Medicare eligible expenses may be conditioned upon the same or less restrictive payment conditions, including determinations of medical necessity as are applicable to Medicare claims.

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 2008.71 Standards for Claims Payment

- a) Every entity providing Medicare supplement policies or contracts shall comply with all provisions of Section 4081 of the Omnibus Budget Reconciliation Act of 1987 (P.L.100-203).

- b) Compliance with the requirements set forth in Section (a) above must be certified on the Medicare supplement insurance experience reporting form.
- c) Every insurer, health care plan and other entity providing Medicare supplement insurance shall provide each policyholder, certificate holder, contract holder or enrollee at the time coverage is indicated, a card listing the policy, certificate or contract name and number and a single mailing address to which notices under Section 1842(h)(3)(B) of the Social Security Act (42 U.S.C. 1395 u (h)(3)(B)) respecting coverage are to be sent.
- d) As an addition to the Medicare Supplement Insurance Experience reporting form, every insurer, health care service plan or other entity providing Medicare supplement coverage in this state shall file with the Department a list of its Medicare supplement policy forms, certificates or contracts offered or issued and outstanding in this state as of the end of the previous calendar year.

- 1) The list shall identify the filing insurer or other entity name address and phone number, shall identify each policy form, certificate or contract by name and form number, and shall differentiate between policy forms, certificates and contracts filed with and approved by the Director in years prior to the previous calendar year, and those filed and approved in the previous calendar year.
- 2) Policy forms, certificates and contracts which are issued and outstanding in this state but are no longer offered for sale shall be specifically identified, as shall any policy forms, certificates or contracts which, for any reason, were not filed with and approved by the Director.
- 3) The list shall include identification of any policy form, certificate or contract for which the Director's approval was withdrawn within the previous calendar year.
- e) The Director shall, at least annually, provide the Secretary of Health and Human Services with a list containing the information required to be submitted by

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this section, which has been received by the Director and identifies each insurer, health care plan or other entity by name and address.

(Source: Added at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 208.80 Loss Ratio Standards

a) Medicare supplement policies shall be expected to return to policyholders in the form of aggregate benefits under the policy, as estimated for the entire period for which rates are computed to provide coverage, on the basis of incurred claims experience or incurred health care expenses, as appropriate, and earned premiums for such period and in accordance with accepted actuarial principles and practices:

- 1) At least 75% of the aggregate amount of premiums collected earned in the case of group policies; and
- 2) At least 60% of the aggregate amount of premiums collected earned in the case of individual policies and at least 65% of the aggregate amount of premiums earned in the case of sponsored group policies in which coverage is marketed on an individual basis by direct response to eligible individuals in that group only.

3) All filings of rates and rating schedules shall demonstrate that actual and expected losses in relation to premiums comply with the requirements of this Section.

4) Every entity providing Medicare supplement policies in this State shall file annually its rates, rating schedule and supporting documentation including ratios of incurred losses to earned premiums by number of years of policy duration demonstrating that it is in compliance with the foregoing applicable loss ratio standards and that the period for which the policy is rated is reasonable in accordance with accepted actuarial principles and experience.

b) For the purposes of this section, Medicare supplement policies issued as a result of solicitations of

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individuals through the mail or mass media advertising, including both print and broadcast advertising, shall be treated as individual policies. Policy forms shall be deemed to comply with the loss ratio standards if: for the most recent year, the ratio of the incurred losses to earned premiums for policies or certificates which have been in force for three years or more is greater than or equal to the applicable percentages contained in this Section; and the expected losses in relation to premiums over the entire period for which the policy is rated comply with the requirements of this Section. An expected third-year loss ratio which is greater than or equal to the applicable percentage shall be demonstrated for policies or certificates in force less than three years.

c) As soon as practicable, but no later than sixty (60) days prior to the effective date of Medicare benefit changes required by the Medicare Catastrophic Coverage Act of 1988 (P.L. 100-360), every insurer, health care service plan or other entity providing Medicare supplement insurance or contracts in this state except employers subject to the requirements of Section 421 of the Medicare Catastrophic Coverage Act of 1988, shall file with the Department:

- 1) Appropriate premium adjustments necessary to produce loss ratios as originally anticipated for the applicable policies or contracts. Such supporting documents as necessary to justify the adjustment shall accompany the filing.
- 2) Every insurer, health care service plan or other entity providing Medicare supplement insurance or benefits to a resident of this State pursuant to Section 363 of the Code shall make such premium adjustments as are necessary to produce an expected loss ratio under such policy or contract as will conform with minimum loss ratio standards for Medicare supplement policies and which are expected to result in a loss ratio at least as great as that originally anticipated in the rates used to produce current premiums by the insurer, health care service plan or other entity for such Medicare supplement insurance policies or contracts. No premium adjustment which would modify the loss ratio experience under the policy other than the

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adjustments described herein should be made with respect to a policy at any time other than upon its renewal date or anniversary date. Premium adjustments shall be in the form of refunds or premium credits and shall be made no later than upon renewal if a credit is given, or within sixty (60) days of the renewal date or anniversary date if a refund is provided to the premium payer. Premium adjustments shall be calculated for the period commencing with Medicare benefit changes.

- 3) Any appropriate riders, endorsements or policy forms needed to accomplish the Medicare supplement insurance modifications necessary to eliminate benefit duplications with Medicare. Any such riders, endorsements or policy forms shall provide a clear description of the Medicare supplement benefits provided by the policy or contract.

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 2008.81 Filing Requirements for Out-of-State Group Policies

Every insurer providing group Medicare supplement insurance benefits to a resident of this State under a master policy issued in another state shall file for informational purposes a copy of any certificate used in this State together with such identification of the group and situs of the master policy as the Department shall require. No insurer shall be required to make any such informational filing earlier than 30 days after insurance was provided to any resident of this State under any such certificate (Section 363a(7) of the Code).

(Source: Added at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 2008.82 Prohibited Compensation for Replacement with the Same Company

No entity shall provide compensation to its agents or other producers which is greater than the renewal compensation which would have been paid on an existing policy if the existing policy is replaced by another policy with the same company where the new policy benefits are substantially similar to the benefits under the old policy and the old policy was issued by

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the same insurer or insurer group (Section 363a(9) of the Code).

(Source: Added at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 2008.90 Required Disclosure Provisions

a) General Rules

- 1) Medicare supplement policies shall include a renewal, continuation of or nonrenewal provision. The language or specifications of such provision must be consistent with the type of contract to be issued. Such provision shall be appropriately captioned, shall appear on the first page of the policy, and shall clearly state the duration, where limited, of or renewability and the duration of the term of coverage for which the policy is issued and for which it may be renewed.
- 2) Except for riders or endorsements by which the insurer effectuates a request made in writing by the insured or exercises a specifically reserved right under a Medicare supplement policy, or is required to reduce or eliminate benefits to avoid duplication of Medicare benefits, all riders or endorsements added to a Medicare supplement policy after date of issue or at reinstatement or renewal which reduce or eliminate benefits or coverage in the policy shall require signed acceptance by the insured. After the date of policy issue, any rider or endorsement which increases benefits or coverage with an accompanying increase in premium during the policy term must, unless the benefits are required by the minimum standards for Medicare supplement insurance policies, be agreed to in writing signed by the insured, except if the increased benefits or coverage is required by law. Where a separate additional premium is charged for benefits provided in connection with riders or endorsements, such premium charge shall be set forth in the policy.
- 3) A Medicare supplement policy which provides for the payment of benefits based on standards described as "usual and customary," "reasonable and customary," or words of similar import shall include a

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definition of such terms and an explanation of such terms in its accompanying outline of coverage.

- 4) If a Medicare supplement policy contains any limitations with respect to pre-existing conditions, such limitations must appear as a separate paragraph of the policy and be labeled as "Pre-existing Condition Limitations."
- 5) Medicare supplement policies or certificates, other than those issued pursuant to direct response solicitation, shall have a notice prominently printed on the first page of the policy or attached thereto stating in substance that the policyholder or certificateholder shall have the right to return the policy or certificate within ten (10) thirty (30) days of its delivery and to have the premium refunded directly to him or her in a timely manner if, after examination of the policy or certificate, the insured person is not satisfied for any reason. Medicare supplement policies or certificates issued pursuant to a direct response solicitation to persons eligible for Medicare by reason of age shall have a notice prominently printed on the first page or attached thereto stating in substance that the policyholder or certificateholder shall have the right to return the policy or certificate within thirty (30) days of its delivery and to have the premium refunded if after examination the insured person is not satisfied for any reason.

- 6) Insurers issuing accident and sickness policies, certificates or subscriber contracts which provide hospital or medical expense coverage on an expense incurred or indemnity basis, other than incidentally, to a person(s) eligible for Medicare by reason of age shall provide to all applicants a "buyer's guide" approved by the Director of Insurance. Delivery of the "buyer's guide" shall be made whether or not such policies, certificates, or subscriber contracts are advertised, solicited or issued as Medicare supplement policies as defined in this regulation. Except in the case of direct response insurers, delivery of the "buyer's guide" shall be made to the applicant at the time of application and acknowledgement of receipt of the "buyer's guide" shall be obtained by the insurer.

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Direct response insurers shall deliver the "buyer's guide" to the applicant upon request but not later than at the time the policy is delivered.

- 7) ~~Except as otherwise provided in Section 2008-90(d) of this Part, the terms "Medicare Supplement," "Medigap," and words of similar import shall not be used unless the policy is issued in compliance with Section 2008-70 of this Part.~~
- b) Policy Checklist.
 - 1) In order to determine what policy is appropriate and nonduplicative, a policy checklist must be completed in the presence of the applicant at the point of sale. Copies of the checklist, completed and duly signed are to be provided to the applicant and the company. This requirement does not apply to direct response solicitations.
 - 2) The checklist required by (b)(1) above shall provide substantially the form prescribed in Appendix A.
- c) Notice Requirements
 - 1) As soon as practicable, but no later than thirty (30) days prior to the annual effective date of Medicare benefit changes, every insurer, health care service plan or other entity providing Medicare supplement insurance or benefits to a resident of this State shall notify its policyholders, contract holders and certificate holders of modifications it has made to Medicare supplement insurance policies or contracts. For the years 1989 and 1990, and if prescription drugs are covered in 1991, such notice shall be in the format prescribed in Appendices E, F and G. In addition, for the year 1989 and each year thereafter, such notice shall:

- A) Include a description of revisions to the Medicare program and a description of each modification made to the coverage provided under the Medicare supplement insurance policy or contract.

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B) Inform each covered person as to when any premium adjustment is to be made due to changes in Medicare.

2) The notice of benefit modifications and any premium adjustments shall be in outline form and in clear and simple terms so as to facilitate comprehension. This notice shall be plainly printed in no smaller than 11-point type.

3) Such notices shall not contain or be accompanied by any solicitation.

ed) Outline of Coverage Requirements for Medicare Supplement Policies.

1) Insurers issuing Medicare supplement policies for delivery in this state shall provide an outline of coverage to all applicants at the time application is made and, except for direct response policies, shall obtain an acknowledgement of receipt of such outline from the applicant; and

2) If a Medicare supplement policy or certificate is issued on a basis which would require revision of the outline of coverage delivered at the time of application, a substitute outline of coverage properly describing the policy or certificate actually issued must accompany such policy or certificate when it is delivered and contain the following statement, in no less than twelve (12) point type, immediately above the company name:

"NOTICE: Read this outline of coverage carefully. It is not identical to the outline of coverage provided upon application and the coverage originally applied for has not been issued."

3) In addition to the statement required by Section 2008.90(ed)(2) of this Part, each revised outline of coverage accompanying a policy or certificate issued on a basis other than that originally applied for, must contain the following notice appearing in no less than twelve (12) point type:

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WARNING: The (policy or certificate) you have received is not the same as the one for which you made application.

4) The outline of coverage provided to applicants pursuant to subsection (ed)(2) shall be in the form prescribed in Appendix B.

de) Notice Regarding Policies or Subscriber Contracts Which are Not Medicare Supplement Policies.

In the case wherein a policy, as defined in Section 355(a)(2)(a) of the Illinois Insurance Code (Ill.-Rev. Stat.-1981, ch.-73, par.-967(a)(2)(a)), being sold to a person eligible for Medicare by reason of age provides one or more but not all of the minimum standards for Medicare supplements in Section 363 of the Illinois Insurance Code (Ill.-Rev. Stat.-1981, ch.-73, par.-975), such policy shall provide notice that such policy is not a Medicare supplement and does not meet the minimum benefits standards set for such policies in this State. Such notice shall appear on the first page of the policy, certificate or subscriber contract on the first page of the outline of coverage. Such notice shall be in no less than twelve (12) point type and shall contain the following language:

"THIS (POLICY, CERTIFICATE OR SUBSCRIBER CONTRACT) IS NOT A MEDICARE SUPPLEMENT (POLICY OR CERTIFICATE). IT DOES NOT FULLY SUPPLEMENT YOUR FEDERAL MEDICARE HEALTH INSURANCE. If you are eligible for Medicare review the Medicare Supplement Buyers Guide available from the company."

ef) Applications - Notice regarding policies or subscriber contracts which are not Medicare supplement policies.

In the case wherein an application is used to apply for the type of policy as defined in Section 2008.90(de) of this Part, such application shall provide notice that the policy being applied for is not a "Medicare Supplement" and does not meet the minimum benefits standards set forth for such policies in this State. Such notice shall be in no less than twelve (12) point type and shall contain the following language:

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"THIS (POLICY, CERTIFICATE OR SUBSCRIBER CONTRACT) WHICH YOU HAVE APPLIED FOR IS NOT A MEDICARE SUPPLEMENT (POLICY OR CERTIFICATE). IT DOES NOT FULLY SUPPLEMENT YOUR FEDERAL MEDICARE HEALTH INSURANCE. If you are eligible for Medicare, review the Medicare Supplement Buyers Guide available from the company."

- g) Filing Requirements for Advertising --Notice-regarding policies-or-subscriber-contracts-which-are-not-Medicare supplement-policies:

1) Every insurer, health care service plan or other entity providing Medicare supplement insurance or benefits in this State shall provide a copy of any Medicare supplement advertisement intended for use in this State whether through written, radio or television medium to the Director of Insurance of this State for review by the Director to the extent it may be required under state law.

- 2) Notice regarding policies or subscriber contracts which are not Medicare supplement policies.

In the case wherein any advertising as defined in Section 2002.40 of 50 Ill. Adm. Code 2002 (Advertising of Accident and Sickness Insurance) is used to solicit the type of policy as defined in Section 2008.90(de) of this Part, such advertising shall provide notice that the policy being advertised is not a Medicare supplement and does not meet the minimum benefits standards set forth for such policies in this State. Such notice shall be prominently disclosed within the text of the advertisement. Such notice shall be in no less than twelve (12) point type and shall contain the following language:

"THIS (POLICY, CERTIFICATE OR SUBSCRIBER CONTRACT) IS NOT A MEDICARE SUPPLEMENT (POLICY OR CERTIFICATE). IT DOES NOT FULLY SUPPLEMENT YOUR FEDERAL MEDICARE HEALTH INSURANCE. If you are eligible for Medicare, review the Medicare Supplement Buyer's Guide available from the company."

(Source: Amended at 13 Ill. Reg. 8520, effective MAY 23, 1989)

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Section 2008.APPENDIX A Policy Checklist

Applicant's Name _____

Policy Number _____

SERVICE	BENEFIT	MEDICARE PAYS	EXISTING COVERAGE	SUPPLEMENT PAYS	YOU PAY
Hospital Inpatient	First-60-Days Unlimited Number of Hospital Days/Calendar Year	All But (\$)			
	61st-to-90th Day	All-But (\$-----) a-Day			
	91st-to-150th Day-110th Day-reserve	(\$-----) a-Day			
	Beyond-150-Days	Nothing			
Skilled Nursing Home Care	First-20-Days	100%-of Cost			
	First 8 Days	All But (\$) a Day			
	9th - 150th Day	100% of Costs			
	Additional-80 Days	All-But (\$-----) a-Day			
	Beyond-100 Days	Nothing			
Medical Expense	Physician's Services in hospital, office or home, in-patient and out-patient medical services and	80% of Medicare Determined allowable charges after (\$) Deductible			

supplies at a
hospital,
physical
and speech
therapy and
ambulance

Pre-
scription
Drugs

All which
cannot be
self
admini-
stered
Inpatient
Prescription
Drugs Only

This policy does/does not comply with the minimum standards set forth in Section 363 of the Illinois Insurance Code.

DATE _____ SIGNATURE OF APPLICANT _____
SIGNATURE OF AGENT _____

(Source: Amended 13 Ill. Reg. 8520, effective
May 23, 1989)

Section 208.APPENDIX B Outline of Medicare Supplement Cover-
age

SERVICE	BENEFIT	MEDICARE PAYS	THIS POLICY PAYS	YOU PAY
HOSPITALIZATION semi-private-room and-board--general nursing-and-mis- cellaneous-hos- pital-services and-supplies	First-60 Days	All-But (\$----) a-Day		
	61st-to 90th-Day	All-But (\$----) a-Day		
includes-meals special-care units--drugs--lab tests--diagnostic x-ray--medical supplies--operating	91st-to 150th-Day	All-But (\$----) a-Day		

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and-recovery-room, anesthesia-and rehabilitation services	Beyond-150 Days	Nothing
POSTHOSPITAL SKILLED-NURSING CARE in-a-facility approved-by Medicare--you must-have-been in-a-hospital for-at-least three-days-and enter-the-facility within-14-days after-hospital discharge	First-20 Days	100%-of cost
	Additional 80-Days	All-But (\$----) a-Day
	Beyond-100 Days	Nothing
MEDICAL-EXPENSE	Physician's Services inpatient and-out- patient medical services and-sup- plies-at a-hospital, physical and-speech therapy-and ambulance.	80%-of reason- able charge after (\$----) deduc- tible

1) Read-Your-Policy-Carefully-----This-outline-of-coverage
provides-a-very-brief-description-of-the-important
features-of-your-policy---This-is-not-the-insurance
contract--and-only-the-actual-policy-provisions-will
control---The-policy-itself-sets-forth-in-detail-the
rights-and-obligations-of-both-you-and-your-insurance
company---It-is--therefore--important-that-you-READ
YOUR-POLICY-CAREFULLY.

2) Medicare-Supplement-Coverage-----Policies-of-this
category-are-designed-to-supplement-Medicare-by-cover-
ing-some-hospital--medical-and-surgical-services-which

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are partially covered by Medicare. -- Coverage is provided for hospital inpatient charges and some physician charges, subject to any deductibles and copayment provisions which may be in addition to those provided by Medicare, and subject to other limitations which may be set forth in the policy. -- The policy does not provide benefits for custodial care such as help in walking, getting in and out of bed, eating, dressing, bathing and taking medicine (delete if such coverage is provided).

3) a) (for agents:)

Neither (insert company's name) nor its agents are connected with Medicare.

b) (for direct response:)

(insert company's name) is not connected with Medicare.

4) (A brief summary of the major benefit gaps in Medicare Parts A & B with a parallel description of supplemental benefits, including dollar amounts, provided by the Medicare supplement coverage in the following order:)

5) Statement that the policy does or does not cover the following:

a) Private duty nursing

b) Skilled nursing home care costs (beyond what is covered by Medicare)

c) Custodial nursing home care costs

d) Intermediate nursing home care costs

e) Home health care above number of visits covered by Medicare

f) Physician charges (above Medicare's reasonable charge)

g) Drugs (other than prescription drugs furnished during a hospital or skilled nursing facility stay)

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h) Care received outside of U.S.A.:

i) Dental care or dentures, checkups, routine examinations, cosmetic surgery, routine foot care, examinations for the cost of eyeglasses or hearing aids:

6) A description of any policy provision which excludes, eliminates, restricts, reduces, limits, delays or in any other manner operates to qualify payments of the benefits described in (4) above, including conspicuous statements:

a) (That the chart summarizing Medicare benefits only briefly describes such benefits.)

b) (That the Health Care Financing Administration or its Medicare publications should be consulted for further details and limitations.)

7) A description of policy provisions respecting renewability or continuation of coverage, including any reservation or rights to change premium.

8) The amount of premium for this policy.

(COMPANY NAME)

OUTLINE OF MEDICARE
SUPPLEMENT COVERAGE

1) Read Your Policy Carefully -- This outline of coverage provides a very brief description of the important features of your policy. This is not the insurance contract and only the actual policy provisions will control. The policy itself sets forth in detail the rights and obligations of both you and your insurance company. It is, therefore, important that you READ YOUR POLICY CAREFULLY.

2) Medicare Supplement Coverage -- Policies of this category are designed to supplement Medicare by covering some hospital, medical and surgical services which are partially covered by Medicare. Coverage is provided for hospital inpatient charges and some physician charges, subject to any deductibles and copayment provisions which may be in addition to those provided by Medicare, and subject to other limitations which may

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PART B

MEDICAL EXPENSE:

Services of a Physician/
Outpatient Services

Medical Supplies other than
Prescribed Drugs

Blood

Mammography Screening

Out-of-Pocket Maximum

Prescription Drugs

MISCELLANEOUS

Home IV-Drug Therapy

Immunosuppressive Drugs

Respite Care Benefits

IN ADDITION TO THIS OUTLINE OF COVERAGE, (INSURANCE COMPANY NAME) WILL SEND AN ANNUAL NOTICE TO YOU 30 DAYS PRIOR TO THE EFFECTIVE DATE OF MEDICARE CHANGES WHICH WILL DESCRIBE THESE CHANGES AND THE CHANGES IN YOUR MEDICARE SUPPLEMENT COVERAGE.

5) The following charts shall accompany the outline of coverage:

Part A
MEDICARE BENEFITS IN

Service PART A	1988	1989	1990	1991
Inpatient Hospital Services	All but \$540 for first 60 days/ benefit period	All but \$560 deductible for an unlimited number of days/calendar year	All but Part A deductible for an unlimited number of days/calendar year	All but Part A deductible for an unlimited number of days/calendar year

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be set forth in the policy. The policy does not provide benefits for custodial care such as help in walking, getting in and out of bed, eating, dressing, bathing and taking medicine (delete if such coverage is provided).

3) a) (for agents:)

Neither (insert company's name) nor its agents are connected with Medicare.

b) (for direct response:)

(insert company's name) is not connected with Medicare.

4) (A brief summary of the major benefit gaps in Medicare Parts A & B with a parallel description of supplemental benefits, including dollar amounts and indexed copayments or deductibles, as appropriate, provided by the Medicare supplement coverage in the following order:)

DESCRIPTION

SERVICE

PART A

INPATIENT HOSPITAL SERVICES:

Semi-Private Room & Board

Miscellaneous Hospital Services
& Supplies, such as Drugs,
X-Rays, Lab Tests & Operating
Room

SKILLED NURSING FACILITY CARE

BLOOD

PARTS A & B

Home Health Services

THIS POLICY PAYS YOU PAY

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Immunosuppressive
Drug Therapy

80% of costs during
1st year following
a covered organ
transplant (no
special drug deduct-
ible only the
regular Part B
Deductible)

Same as '88

Same as '88 for 1st
year following covered
transplant. 50% of
costs during 2nd and
following years (subject
to \$550 deductible)

Same as '90
(subject to \$600
deductible)

Respite-Care
Semi

In-home care for
chronically dependent
individual covered
for up to 80 hours
after either the out-
of-pocket limit or the
outpatient drug deduct-
ible has been met

Same as '90

6) Statement that the policy does or does not cover the following:

- a) Private duty nursing;
- b) Skilled nursing home care costs (beyond what is covered by Medicare);
- c) Custodial nursing home care costs;
- d) Intermediate nursing home care costs;
- e) Home health care above number of visits covered by Medicare;
- f) Physician charges (above Medicare's reasonable charges);
- g) Drugs (other than prescription drugs furnished during a hospital or skilled nursing facility stay);
- h) Care received outside the U.S.A.;
- i) Dental care or dentures, checkups, routine immunizations, cosmetic surgery, routine foot care, examinations for the cost of eyeglasses or hearing aids.

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7) A description of any policy provisions which exclude, eliminate, restrict, reduce, limit, delay or in any other manner operate to qualify payments of the benefits described in (4) above, including conspicuous statements:

- a) That the chart summarizing Medicare benefits only briefly describes such benefits.
 - b) That the Health Care Financing Administration or its Medicare publications should be consulted for further details and limitations.
- 8) A description of policy provisions respecting renewal ability or continuation of coverage, including any reservation of rights to change premium.
- 9) The amount of premium for this policy.

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

Section 2008.APPENDIX C Notice to Applicant Regarding Replacement of Accident and Sickness Insurance (Response Other Than Direct)

According to (your application) (information you have furnished) you intend to lapse or otherwise terminate existing accident and sickness insurance and replace it with a policy to be issued by (Company Name) Insurance Company. Your new policy provides ten (10) thirty (30) days within which you may decide without cost whether you desire to keep the policy. For your own information and protection, you should be aware of and seriously consider certain factors which may affect the insurance protection available to you under the new policy.

- 1) Health conditions which you may presently have (pre-existing conditions) may not be immediately or fully covered under the new policy. This could result in denial or delay of a claim for benefits under the new policy, whereas a similar claim might have been payable under your present policy.
- 2) You may wish to secure the advice of your present insurer or of its agent regarding the proposed replacement of your present policy. This is not only your

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right, but it is also in your best interest to make sure you understand all the relevant factors involved in replacing your present coverage.

- 3) If, after due consideration, you still wish to terminate your present policy and replace it with new coverage, be certain to truthfully and completely answer all questions on the application concerning your medical/health history. Failure to include all material medical information on an application may provide a basis for the company to deny any future claims and to refund your premium as though your policy had never been in force. After the application has been completed and before you sign it, reread it carefully to be certain that all information has been properly recorded.

The above "Notice to Applicant" was delivered to me on: _____ (Date)

(Applicant's Signature)

(Source: Amended at 13 Ill. Reg. 8520, effective May 23, 1989)

SECTION 2008. APPENDIX E. NOTICE ON MEDICARE CHANGES—1989

(Company Name)

NOTICE ON CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT INSURANCE—1989

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1989. Additional changes will occur on medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by (company name) will change, also. The following outline briefly describes the modifications in Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format.)

Services	Medicare Benefits		Your Medicare Supplement Coverage	
	Medicare Now Pays Per Benefit Period	Effective January 1, 1989 Medicare Will Pay Per Calendar Year	Your 1988 Coverage Per Benefit Period	Effective January 1, 1989 Your Coverage Will Pay Per Calendar Year

Medicare Part A Services and Supplies	Medicare Part B Services and Supplies	Prescription Drugs	Inpatient prescription drugs only	In 1989 Medicare covers inpatient prescription drugs only	Effective January 1, 1990 Per Calendar Year 80% of allowable charges for home intravenous (IV) therapy drugs and 50% of allowable charges for immunosuppressive
First 60 days— All but \$540	Requires a 3 day prior stay and enter the facility generally within 30 days after hospital discharge.	80% of allowable charges (after \$175) deductible)	Inpatient prescription drugs only	In 1989 Medicare covers inpatient prescription drugs only	Effective January 1, 1990 Per Calendar Year 80% of allowable charges for home intravenous (IV) therapy drugs and 50% of allowable charges for immunosuppressive
61st to 90th day— All but \$135 a day	First 20 days— 100% of costs. 21st through 100th day— All but \$67.50 a day	80% of allowable charges (after \$175) deductible)			
91st to 150th day— All but \$270 a day (if individual chooses to use 60 nonrenewable lifetime reserve days)	First 8 days— All but \$125.50 a day	80% of allowable charges (after \$175) deductible)			
Beyond 150th day— Nothing	9th through 150th day— 100% of costs	80% of allowable charges (after \$175) deductible)			
	There is no prior confinement require- ment for this benefit.	80% of allowable charges (after \$175) deductible)			
	First 8 days— All but \$125.50 a day	80% of allowable charges (after \$175) deductible)			
	9th through 150th day— 100% of costs	80% of allowable charges (after \$175) deductible)			
	Beyond 150 days— Nothing	80% of allowable charges (after \$175) deductible)			
	Medicare Now Pays Per Calendar Year	80% of allowable charges (after \$175) deductible)			
	In 1989 Medicare Part B Pays the Same as in 1988	80% of allowable charges (after \$175) deductible)			
	Note: Medicare Benefits changes in January, 1990 as follows: 80% of allowable charges (after \$175) deductible) until an annual Medicare Catastrophic limit is met. 100% of allowable charges for the remainder of the calendar year. The limit in 1990 is \$1370 and will be adjusted on an annual basis.	80% of allowable charges (after \$175) deductible)			

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Effective January 1, 1991
Per Calendar Year
Inpatient prescription drugs
50% of allowable charges for all
other outpatient prescription drugs
after a \$600 calendar year deductible
is met (the deductible will change).
Coverage will increase to 60%
of allowable charges in 1992
and to 80% of allowable charges
from 1993 on.

Effective January 1, 1991
Per Calendar Year
Inpatient prescription drugs
50% of allowable charges for all
other outpatient prescription drugs
after a \$600 calendar year deductible
is met (the deductible will change).
Coverage will increase to 60%
of allowable charges in 1992
and to 80% of allowable charges
from 1993 on.

*Expenses that count toward the Part B Medicare Catastrophic Limit include the Part B deductible and copayment charges and the Part B blood deductible charges.

(ANY ADDITIONAL BENEFITS)

(Describe any coverage provisions changing due to Medicare modifications.)

(Include information about premium adjustments that may be necessary due to changes in Medicare benefits or when premium changes information will be sent.)

THIS CHART SUMMARIZING THE CHANGES IN YOUR MEDICARE BENEFITS AND IN YOUR MEDICARE SUPPLEMENT PROVIDED BY (COMPANY), ONLY BRIEFLY DESCRIBES SUCH BENEFITS. FOR INFORMATION ON YOUR MEDICARE BENEFITS, CONTACT YOUR SOCIAL SECURITY OFFICE OR THE HEALTH CARE FINANCING ADMINISTRATION. FOR INFORMATION ON YOUR MEDICARE SUPPLEMENT (POLICY) CONTACT (COMPANY OR FOR AN INDIVIDUAL POLICY-NAME OF AGENT) (ADDRESS/PHONE NUMBER).

(Source: Added at 13 Ill. Reg. 8520, effective
May 23, 1989)

SECTION 2008. APPENDIX F. NOTICE ON MEDICARE CHANGES—1990

(Company Name)

NOTICE ON CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT COVERAGE—1990

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1990. Additional changes will occur in medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by (company name) will change, also. The following outline briefly describes the modifications in Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format)

Services Medicare Benefits Your Medicare Supplement Coverage

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Effective January 1, 1990
Medicare Will Pay
Per Calendar Year
Your Coverage Now
Pays Per Calendar
Year
Effective January 1, 1990
Your Coverage Will Pay
Per Calendar Year

Medicare Now Pays
Per Calendar Year

Unlimited number of
hospital days after
(\$560 deductible)

There is no prior
confinement require-
ment for this benefit

First 8 days—
All but \$25.50 a day

9th thru 150th day—
100% of costs

Beyond 150 days—
Nothing

80% of allowable charges
(after \$75 deductible)

80% of allowable charges
(after \$75 deductible)
until an annual Medicare
Catastrophic Limit* is met.
100% of allowable charges
for the remainder of the
calendar year. The limit
in 1990 is \$1370 and will
be adjusted on an annual
basis.

Medicare
Part B
Services and
Supplies

Prescription
Drugs

Inpatient prescription drugs
80% of allowable charges for
home intravenous (IV) therapy
drugs and 50% of allowable
charges for immunosuppressive
drugs after (\$550 in 1990)
calendar year deductible is met.

*Expenses that you must pay out-of-pocket and that count toward the Part B Medicare Catastrophic Limit include:
the Part B deductible and copayment charges and the Part B blood deductible charges.

(ANY ADDITIONAL BENEFITS)

(Describe any coverage provisions changing due to Medicare modifications.)

(Include information about premium adjustments that may be necessary due to changes in Medicare benefits or when premium changes information will be sent.)

THIS CHART SUMMARIZING THE CHANGES IN YOUR MEDICARE BENEFITS AND IN YOUR MEDICARE SUPPLEMENT PROVIDED BY (COMPANY), ONLY BRIEFLY DESCRIBES SUCH BENEFITS. FOR INFORMATION ON YOUR MEDICARE BENEFITS, CONTACT YOUR SOCIAL SECURITY OFFICE OR THE HEALTH CARE FINANCING ADMINISTRATION. FOR INFORMATION ON YOUR MEDICARE SUPPLEMENT (POLICY) CONTACT (COMPANY OR FOR AN INDIVIDUAL POLICY-NAME OF AGENT) (ADDRESS/PHONE NUMBER).

(Source: Added at 13 Ill. Reg. 8520, effective May 23, 1989)

SECTION 2008. APPENDIX G. NOTICE ON MEDICARE CHANGES—1991

(Company Name)

NOTICE ON CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT COVERAGE—1991

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1991. Additional changes will occur in medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by (company name) will change, also. The following outline briefly describes the modifications in Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format.)

Services	Medicare Benefits	Medicare Supplement Coverage
	Effective January 1, 1991	Effective January 1, 1991
	Medicare Now Pays	Your Coverage Now
	Per Calendar Year	Pays Per Calendar Year
		Year
Medicare Part A Services and Supplies	Unlimited number of hospital days after \$75 deductible	
Skilled Nursing Facility Care	There is no prior confinement requirement for this benefit.	
	First 8 days—All but \$1 - 15 day	
	9th thru 150th day—100% of costs	
	Beyond 150 days—Nothing	
Medicare Part B Services and Supplies	80% of allowable charges (after \$75 deductible) until an annual Medicare Catastrophic Limit* is met. 100% of allowable charges for the remainder of the calendar year. The limit in 1991 is \$1,100 and will be adjusted on an annual basis.	80% of allowable charges (after \$75 deductible) until an annual Medicare Catastrophic Limit* is met. 100% of allowable charges for the remainder of the calendar year. The limit in 1991 is \$1,100 and will be adjusted on an annual basis.
Prescription Drugs	Inpatient prescription drugs. 80% of allowable charges for	Same as 1990 and 50% of allowable charges for

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None IV therapy drugs and 50% of allowable charges for immunosuppressive drugs after a \$150 calendar year deductible is met.

all other outpatient prescription drugs after a \$600 calendar year deductible is met.

(Source: Added at 13 Ill. Reg. 8520, effective May 23, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

1) The Heading of the Part: AID TO FAMILIES WITH DEPENDENT CHILDREN

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Number: Adopted Action:

112.98 Amendment

4) Statutory Authority: Sections 4-2 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, pars. 4-2 and 12-13)

5) Effective Date of Amendment: May 22, 1989

6) Does this rulemaking contain an automatic repeal date?
 Yes ☐ No ☒

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: May 22, 1989

9) Notice of Proposal Published in Illinois Register:

February 24, 1989 (13 Ill. Reg. 2236)

10) Has JC&R issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No changes were made to the amendment.

12) Have all the changes agreed upon by the agency and JC&R been made as indicated in the agreement letter issued by JC&R? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
112.40	Amendment	February 17, 1989 (13 Ill. Reg. 1948)
112.318	Amendment	March 31, 1989 (13 Ill. Reg. 4116)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

15) Summary and Purpose of Amendment: The title of the "Work Supplementation Program" is changed to the "Exchange Program".

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: 100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

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DEPARTMENT OF PUBLIC AID

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TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID

SUBCHAPTER B: ASSISTANCE PROGRAMS

PART 112

AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

Section

- 112.1 Description of the Assistance Program
112.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 112.8 Caretaker Relative
112.9 Client Cooperation
112.10 Citizenship
112.20 Residence
112.30 Age
112.40 Relationship
112.50 Living Arrangement
112.52 Social Security Numbers
112.54 Assignment of Medical Support Rights
112.60 Lack of Parental Support or Care
112.61 Death of a Parent
112.62 Incapacity of a Parent
112.63 Continued Absence of a Parent
112.64 Unemployment of the Parent

SUBPART C: PROJECT CHANCE

- 112.70 Registration Requirements For Project Chance
112.71 Individuals Exempt From Project Chance
112.72 Project Chance Participation/Cooperation Requirements
112.73 Failure to Participate with the Work Incentive Demonstration Program (Renumbered)
112.74 Project Chance Full Assessment Process/Development of an Employment Plan
112.76 Project Chance Orientation
112.77 Illinois Work Experience Program Evaluation Project (Renumbered)
112.78 Project Chance Components
112.79 Project Chance Sanctions
112.80 Good Cause for Failure to Comply With Project Chance Participation Requirements

Section

- 112.81 Good Cause For Failure to Cooperate With Support Enforcement (Recodified)
112.82 Project Chance Supportive Services
112.83 Employment Child Care
112.84 Work Experience Evaluation Project
112.85 Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

Section

- 112.86 Project Advance
112.87 Project Advance Experimental and Control Groups
112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: WORK-SUPPLEMENTATION EXCHANGE PROGRAM

Section

- 112.98 Work-Supplementation Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section

- 112.100 Unearned Income
112.101 Unearned Income of Stepparent, Parent or Legal Guardian
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107 Initial Receipt of Unearned Income
112.108 Termination of Unearned Income
112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
112.126 Earmarked Income
112.127 Lump Sum Payments
112.128 Protected Income
112.130 Earned Income
112.131 Earned Income Tax Credit

DEPARTMENT OF PUBLIC AID

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Section	
112.132	Budgeting Earned Income
112.133	Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.134	Initial Employment
112.135	Budgeting Earned Income For Contractual Employees
112.136	Budgeting Earned Income For Non-Contractual School Employees
112.137	Termination of Employment
112.140	Exempt Earned Income
112.141	Earned Income Exemption
112.142	Exclusion From Earned Income Exemption
112.143	Recognized Employment Expenses
112.144	Income From Work/Study/Training Program
112.145	Earned Income From Self-Employment
112.146	Earned Income From Roomer and Boarder
112.147	Income From Rental Property
112.148	Payments from the Illinois Department of Children and Family Services
112.149	Earned Income In-Kind
112.150	Assets
112.151	Exempt Assets
112.152	Asset Disregards
112.153	Deferral of Consideration of Assets
112.154	Property Transfers
112.155	AFDC Income Limit
SUBPART H: PAYMENT AMOUNTS	
112.250	Grant Levels
112.251	Payment Levels in AFDC
112.252	Payment Levels in AFDC Group I Counties
112.253	Payment Levels in AFDC Group II Counties
112.254	Payment Levels in AFDC Group III Counties
SUBPART I: OTHER PROVISIONS	
Section	Persons Who May Be Included in the Assistance Unit
112.300	Presumptive Eligibility
112.301	Monthly Reporting
112.302	Restrospective Budgeting
112.303	Budgeting Schedule
112.304	Strikers
112.305	Poster Care Program
112.306	Responsibility of Sponsors of Aliens
112.307	Special Needs Authorizations
112.308	Institutional Status
112.309	

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Section	
112.315	Young Parent Program
112.320	Redetermination of Eligibility
112.330	Six Month Extension of Medical Assistance Due to Increased Income from Employment
112.331	Four Month Extension of Medical Assistance Due to Child Support Collections
112.332	Extension of Medical Assistance Due to Loss of Earned Income Disregard
AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 4-1 et seq. and 12-13).	
SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981;	

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peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10370, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive

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change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 11, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987;

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Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART F: WORK-SUPPLEMENTATION EXCHANGE PROGRAM

Section 112.98 Work-Supplementation Exchange Program

- a) The Work-Supplementation Exchange Program (WSP) develops employment opportunities for AFDC recipients by paying wage subsidies to employers who hire program participants. The program is funded by diverting the cash grant an individual would receive if not employed and using the diverted grant to pay a wage subsidy to the employer who hires the recipient. The goal of WSP the Exchange Program is to obtain jobs for AFDC recipients who might not be hired without a subsidy.

b) Eligible Participants

- 1) AFDC mandatory and volunteer participants in Project Chance (see Sections 112.70 through 112.82) who meet the selection criteria listed in subsection (b)(2) below are eligible to participate in the WSP Exchange Program. An AFDC recipient in the program is voluntary. An AFDC recipient who wants to participate in the Work-Supplementation Exchange Program must agree

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to all provisions in this Section during the time of participation in the program.

- 2) In order to place special emphasis on people who would not be likely to obtain a job without work supplementation AFDC recipients must meet the following criteria for selection to participate in the WSP Exchange Program:

- A) The recipient must be the parent of at least one of the children in the AFDC unit.
- B) The recipient must have completed the Project Chance Intensive Job Search component (see Section 112.78(a)), have had a full assessment pursuant to Section 112.74, and been determined eligible to participate in other Project Chance components (see Section 112.78).
- C) The recipient must have no income other than AFDC benefits.
- D) The recipient must be recommended for participation by the Project Chance worker. The Project Chance worker will recommend for participation in WSP the Exchange Program those Project Chance participants who, based on their assessment under Section 112.74, are likely to encounter difficulty in obtaining employment (e.g., lack of skills for which jobs are available in the area, lack of work history).
- 3) Nothing in this Section should be construed as providing any recipient the right to participate in the program.
- 4) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REQUIRING THE DEPARTMENT OR ANY CONTRACTOR TO PROVIDE EMPLOYEE STATUS TO ANY ELIGIBLE INDIVIDUAL TO WHOM IT PROVIDES A JOB POSITION

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UNDER THE WSP EXCHANGE PROGRAM, OR WITH RESPECT TO WHOM IT PROVIDES ALL OR PART OF THE WAGES PAID TO SUCH INDIVIDUAL BY ANOTHER ENTITY UNDER SUCH PROGRAM (42 U.S.C. 1614(e)(1)).

- 5) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REQUIRING THE DEPARTMENT TO PROVIDE THAT ELIGIBLE INDIVIDUALS FILLING JOB POSITIONS PROVIDED BY CONTRACTORS UNDER THE WSP EXCHANGE PROGRAM BE PROVIDED EMPLOYEE STATUS BY SUCH ENTITY DURING THE FIRST 13 WEEKS DURING WHICH THEY FILL SUCH POSITION (42 U.S.C. 1614(e)(2)).

c) Benefits and Reporting Requirements while Participating in the WSP Exchange Program

- 1) Participants in the WSP Exchange Program are considered to be AFDC recipients and remain eligible for Medical Assistance for the duration of their WSP Exchange Program participation. Child care expenses will be provided through Project Chance while the participant is employed in a WSP an Exchange Program job.

- 2) The participant must agree to accept wages from employment, which will be at least an amount which would be earned by working full time at the prevailing minimum wage, less applicable payroll taxes, in lieu of the cash grant.

- 3) Participants are not required to file monthly reports as a requirement for continuing eligibility. Changes in income from sources other than the WSP Exchange Program job and/or circumstances must still be reported within five (5) days of occurrence pursuant to 89 Ill. Adm. Code 102.50.

- 4) WAGES PAID UNDER A-WSP AN EXCHANGE PROGRAM SHALL BE CONSIDERED TO BE EARNED INCOME FOR PURPOSES OF ANY PROVISION OF LAW (42 U.S.C. 1614(e)(3)).

d) Duration of Program Participation

- 1) Participants may not exceed a total of nine (9) months in WSP the Exchange Program subsidized placements regardless of the number of times an individual becomes an AFDC recipient. The period of a single assignment is dependent upon the terms of the WSP Exchange Program contract which has been developed with the employer. Recipients will be informed of the length of the WSP Exchange Program subsidy period prior to placement.

- 2) Participants who fail to cooperate with Project Chance program requirements (as defined in Section 112.72) or leave a supported work position without good cause (as defined in Section 112.80) are removed from WSP the Exchange Program and become ineligible to participate in WSP the Exchange Program at any future time. Persons who become ineligible for WSP the Exchange Program are not sanctioned due to WSP Exchange Program ineligibility.

e) Contracts with Employers

- 1) Employers that participate in the WSP Exchange Program must enter into a written contract with the Department prior to receiving referrals under the WSP Exchange Program.

- 2) Employers must be in good standing (i.e., in compliance with all applicable federal, state, county and local laws, regulations and ordinances) with the Illinois Department of Revenue, the Secretary of State and any and all regulatory agencies which have jurisdiction over their activities.

f) Calculation of the Diverted Grants

- 1) The level of grant to be diverted is determined on a prospective basis when a work assignment under the WSP Exchange Program is made. The effective date of the diverted grant is the first

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(Cont'd)

day of the first full month of WSP Exchange Program wages.

- 2) WSP-Exchange Program participants are not eligible for the disregard to earned income provided in Sections 112.141 and 112.143.
- 3) Participants' grants are frozen beginning with the first full budget month which corresponds to the first full month of WSP Exchange Program wages. The grant amount to which the participant would otherwise be entitled is diverted and used in whole or in part to pay a wage subsidy to the employer.
- 4) At the conclusion of the WSP Exchange Program period, participants will have their grants determined using prospective budgeting until the first budget month following placement which does not include income earned while participating in the supported placement.

g) Program Completion

If the participant continues employment after the WSP Exchange Program period, the grant is determined using prospective budgeting for two full months following termination of the WSP Exchange Program placement, after which retrospective budgeting is used. If the participant is no longer eligible for AFDC benefits after the WSP Exchange Program period, a determination of continued medical eligibility shall be made in accordance with Sections 112.330 and 112.332.

(Source: Amended at 13 Ill. Reg. 8567, effective May 22, 1989)

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1) The Heading of the Part: GENERAL ASSISTANCE

2) Code Citation: 89 Ill. Adm. Code 114

3) Section Number: Adopted Action:
114.127 Amendment

4) Statutory Authority: Sections 6-8 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 6-8 and 12-13)

5) Effective Date of Amendment: May 20, 1989

6) Does this rulemaking contain an automatic repeal date?
Yes No X

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: May 20, 1989

9) Notice of Proposal Published in Illinois Register:

February 17, 1989 (13 Ill. Reg. 1959)

10) Has JCARE issued a Statement of Objections to this rule? No

11) Differences between proposal and final version: Based on comments received from the Joint Committee on Administrative Rules and the Administrative Code Division of the Secretary of State's Office, the following changes were made to this rulemaking:

Section 114.127(d)(6) is rewritten to read as follows:

"A) The work assignment Sponsor shall not use mandatory registrants to displace persons:

i) who are already employed as regular full-time or part-time employees of the Sponsor, regardless of whether those employees are on active status or are on leave status due to disability, personal reasons, or any other reason;

ii) who are or have been involved in a labor dispute between a labor organization and the Sponsor; or

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iii) who have been temporarily laid off by the Sponsor.

B) Mandatory registrants or their representatives may file a grievance with the Department if they believe their work assignments are causing displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:

- i) the name and address of the mandatory registrant, i.e., the grievant;
 - ii) the mandatory registrant's public aid case number;
 - iii) the mandatory registrant's social security number;
 - iv) Work Assignment (work site); and
 - v) a statement as to why the mandatory registrant believes he/she is causing displacement.
- C) Within ten (10) days of receipt of a written grievance, the Department will arrange an in-person conference with:

- i) the mandatory registrant;
- ii) the mandatory registrant's representative, if any;
- iii) the work assignment Sponsor;
- iv) the work assignment Sponsor's representative, if any; and
- v) the Department's representative.

D) At the in-person conference, the Department will solicit and receive from the mandatory registrant and the work assignment Sponsor any documents and statements relevant to the matters alleged in the grievance. The work assignment Sponsor shall provide whatever documents or other information

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requested by the mandatory registration and/or the Department.

E) Within fifteen (15) days of the in-person conference, the Department will advise the mandatory registrant and the work assignment Sponsor in writing of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.

F) If the Department concludes that displacement occurred, the Department will terminate the mandatory registrant's assignment to that work assignment Sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the work assignment Sponsor has caused displacement by use of Project Chance participants in addition to the mandatory registrant, then the Department may terminate those Project Chance participants' assignment to that work assignment Sponsor.

G) All mandatory registrants are assured that no retaliation will be taken against them by the Department, its employees, or the work assignment Sponsor for filing a grievance or otherwise proceeding under this policy.;

2) at line 4 of subsection (b)(1)(C), the phrase "Registration and Education" is changed to "Professional Regulation";

3) at line 10 of subsection (b)(1)(F), the word "a" is changed to "an"; and

4) at line 7 of subsection (c)(4)(A), the word "employee" is changed to "employer".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? Yes

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Section Numbers	Proposed Action	Illinois Registration
114.220	Amendment	April 21, 1989 (13 Ill. Reg. 5456)
114.240	Repealed	April 21, 1989 (13 Ill. Reg. 5456)

- 15) Summary and Purpose of Amendment: This rulemaking implements the IWRMO v. Duffy Consent Decree. Specifically, this rulemaking provides that the work assignment Sponsor shall not use Project Chance participants to displace persons: (1) who are already employed as regular full-time or part-time employees of the Sponsor, regardless of whether those employees are on active status or are on leave status due to disability, personal reasons, or any other reason; (2) who are or have been involved in a labor dispute between a labor organization and the Sponsor; or (3) who have been temporarily laid off by the Sponsor.

- 16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney
Office of the General Counsel

Address: Illinois Department of Public Aid
Jesse B. Harris II Building
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

SUBPART A: GENERAL PROVISIONS

Section	Description of the Assistance Program
114.1	Incorporation By Reference
114.5	

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
114.9	Client Cooperation
114.10	Citizenship
114.20	Residence
114.30	Age
114.40	Relationship
114.50	Living Arrangement
114.52	Social Security Numbers
114.60	Work Registration Requirements
114.61	Individuals Exempt From Work Registration Requirements
114.62	Job Service Registration
114.63	Failure to Maintain Current Job Service Registration
114.64	Responsibility to Seek Employment
114.70	Initial Employment Expenses
114.80	Work and Training Programs
114.100	General Assistance Jobs Program (Repealed)

SUBPART C: PROJECT ADVANCE

Section	
114.108	Project Advance
114.109	Project Advance Participation Requirements of Adjudicated Fathers
114.110	Project Advance Cooperation Requirements of Adjudicated Fathers
114.111	Project Advance Sanctions
114.113	Project Advance Good Cause for Failure to Comply
114.115	Individuals Exempt From Project Advance
114.117	Project Advance Supportive Services

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SUBPART D: PROJECT CHANCE

Section
114.120 Employment, Training, Rehabilitation, and Advocacy for General Assistance Programs Administered by the Illinois Department of Public Aid

114.121 Persons Required to Participate in Employment and Training

114.122 Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act

114.123 Persons in Need of Work Rehabilitative Services (WRS) to Become Employable

114.124 Employment and Training Participation/Cooperation Requirements

114.125 Employment and Training Program Orientation

114.126 Employment and Training Program Full Assessment Process/Development of an Employment Plan

114.127 Employment and Training Program Components

114.128 Employment and Training Sanctions

114.129 Good Cause For Failure to Cooperate With Work and Training Participation Requirements

114.130 Employment and Training Supportive Services

114.140 Employment Child Care

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section
114.200 Unearned Income

114.201 Budgeting Unearned Income

114.202 Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision

114.203 Initial Receipt of Unearned Income

114.204 Termination of Unearned Income

114.210 Exempt Unearned Income

114.220 Education Benefits

114.221 Unearned Income In-Kind

114.222 Earnmarked Income

114.223 Lump Sum Payments

114.224 Protected Income

114.225 Earned Income

114.226 Budgeting Earned Income

114.227 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision

114.228 Initial Employment

114.229 Termination of Employment

114.230 Exempt Earned Income

114.235 Recognized Employment Expenses

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Section
114.240 Income From Work/Study/Training Program

114.241 Earned Income From Self-Employment

114.242 Earned Income From Roomer and Boarder

114.243 Earned Income From Rental Property

114.244 Earned Income In-Kind

114.245 Payments from the Illinois Department of Children and Family Services

114.246 Budgeting Earned Income For Contractual Employees

114.247 Budgeting Earned Income For Non-contractual School Employees

114.250 Assets

114.251 Exempt Assets

114.252 Asset Disregards

114.260 Deferral of Consideration of Assets (Repealed)

114.270 Property Transfers

114.280 Supplemental Payments

SUBPART F: PAYMENT AMOUNTS

Section
114.350 Payment Levels for General Assistance

114.351 Payment Levels in Group I Counties

114.352 Payment Levels in Group II Counties

114.353 Payment Levels in Group III Counties

SUBPART G: OTHER PROVISIONS

Section
114.400 Persons Who May Be Included In the Assistance Unit

114.401 Eligibility of Strikers

114.402 Special Needs Authorizations

114.403 Institutional Status

114.404 Retrospective Budgeting

114.405 Budgeting Schedule

114.420 Redetermination of Eligibility

114.430 Six Month Extension of Medical Assistance Due to Increased Income From Employment

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 6-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory

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amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 531, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective July 27, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982;

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peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding section being codified at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 9 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987, for a maximum of 150

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days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E reclassified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 recodified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

Section 114.127 Employment and Training Program Components

a) Job Search

- 1) All mandatory registrants must participate in the Job Search (JS) component of Project Chance unless they are approved to participate in another Project Chance component based on the eligibility criteria of that component. During the JS component, mandatory registrants must attend all scheduled meetings including pre-arranged Job Skills Workshops conducted by other than Project Chance staff. The mandatory registrant will be notified in writing of all scheduled meetings. The failure of a mandatory registrant to appear for scheduled meetings, without good cause, will constitute noncooperation.

- 2) Mandatory registrants may be required to participate in Job Search both before and after the assessment process. Registrants who fail to

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Section 114.127 Employment and Training Program Components (Cont'd)

cooperate in Job Search without good cause prior to assessment, shall be immediately scheduled for assessment. Registrants who fail to cooperate in Job Search without good cause after assessment, shall be sanctioned as explained in Section 114.128.

- 3) The mandatory registrant is required to actively contact employers in his/her efforts to secure employment (i.e., mandatory registrants are required to make twenty (20) acceptable employer contacts every thirty (30) days). No client shall be sanctioned for failure to make the appropriate number of job contacts, if the client has made a good faith effort to make the job contacts (see Section 114.124(c)).

- 4) At the end of the Job Search period, those mandatory registrants who have not found a job, but have demonstrated employability will continue in Job Search. Employability is demonstrated by the mandatory registrant's education, training, employment history, market factors, personal situations and experience in the Job Search component. After a client has been placed in Job Search two consecutive times, the client will be placed in a different component before being placed in Job Search again.

b) Pre-Employment

Mandatory registrants who are determined not employable or employed and in need of further training are referred to the Pre-Employment component. In the Pre-Employment component, Project Chance staff provide information, referral, counseling services and supportive services to registrants to increase their employment potential and to remove significant barriers to employment. Mandatory registrants may be referred to testing, counseling and education resources, rehabilitation therapy, and agencies or programs which sponsor such activities (i.e., Job Training Partnership Act (JTPA) and Department of Rehabilitation Services (DORS)).

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(Cont'd)

1) Eligibility Criteria

Approval of education and training plans is based upon the Department's assessment of the following factors:

- A) The program selected will lead to making the mandatory registrant employable, taking into consideration the time required to complete, the over-all cost and quality of the program (see Section 114.127(a)(4));
- B) The mandatory registrant has the aptitude, ability and interest necessary for success in the particular education or training program (as determined by such factors as test results, educational background and previous training);
- C) The program must be administered by an educational institution accredited by the Illinois State Board of Education or the Department of Registration and Education Professional Regulation or is a Job Training Partnership Act (JTPA) or Special Projects-funded program;

- D) The mandatory registrant must apply for the Pell grant and scholarships from the Illinois State Scholarship Commission, as well as, any scholarships or grants identified by the education or training facility for which the mandatory registrant may be eligible. Such funds shall be exempt from consideration as income to the extent they are used to pay educational expenses, such as books, tuition and fees, provided the client is participating under an approved project Chance education and training plan;

- E) The mandatory registrant does not possess a high school diploma or a GED certificate or possesses one and is in need of further training, (e.g., a Day Care Aide who must

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(Cont'd)

obtain further education to satisfy the requirements for that position);

- F) The mandatory registrant is enrolled in post-secondary education or in a vocational training program for which jobs will be available upon completion of training (as determined by the Department of Employment Security's Job Service Division and/or other documented and reliable sources [e.g., Horizons, Department of Commerce and Community Affairs and/or the placement officer at an education institution or facility]);
 - G) Enrollment cannot be in a baccalaureate or post-graduate degree program unless the mandatory registrant is in a Department of Rehabilitation Services sponsored program of this type;
 - H) Mandatory registrants must participate in a full-time program unless:
 - i) a full-time program is not available (e.g., a full-time GED program is not available); or
 - ii) a part-time program is the most appropriate (e.g., the mandatory registrant who only needs a four hour course to complete);
 - I) Employed registrants may participate in programs to upgrade their employability potential (e.g., a Nurse Aide who must obtain further training to satisfy the requirements for that position).
- 2) Entry into the Component
- The assignment into the Pre-Employment component results from the joint employment plan developed by the mandatory registrant and the Project Chance worker (see Section 114.126).

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Section 114.127 Employment and Training Program Components (Cont'd)

3) Participation Requirements

- A) The mandatory registrant must maintain a level of satisfactory progress as established and reported by the educational facility.
- B) Failure of the registrant to attend training or education classes three (3) times in a thirty (30) day period without good cause shall result in a sanction. Failure to participate without good cause in classes as defined by the education or training facility shall result in a sanction.
- C) Curriculum changes can be made only with the prior written approval of the Project Chance worker. Prior approval will be granted when the curriculum change is consistent with the written goals of the training program.

D) The client must provide verification of attendance and progress (i.e., statements signed by the instructor, educational records and reports prepared at the end of the term). Additionally, if the Department is paying for transportation to enable the client to participate in the Pre-Employment activity, the client must provide monthly verification of his attendance.

4) Contact with Registrants

The registrant contacts the Project Chance worker on a monthly basis if the supportive service payments identified in Section 114.130 are being issued. Registrants not requiring supportive service payments or receiving these payments from another source require a contact every six (6) months or at program completion, whichever comes first.

5) Availability of Slots

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Section 114.127 Employment and Training Program Components (Cont'd)

If the Department determines the client should be in the pre-employment component, but there are no appropriate slots available, the client will not be required to participate in any other Project Chance component while waiting for an appropriate slot to become available.

c) Job Club

Mandatory registrants who are determined employable but who are in need of highly intensified job search skills are referred to Job Club (i.e., Job Clubs conducted by JTPA and Adult Education Programs). Job Clubs are programs designed to facilitate job search activities. Job Club utilizes a highly intensive and positive group process approach to teach job finding techniques. Job search activities must be equivalent to those required in the JS component.

1) Eligibility Criteria

The Job Club component is for mandatory registrants determined to be:

- A) Employable (see Section 114.127(a)(4)), with a marketable skill (i.e., a skill for which jobs are available as determined by such sources as the Department of Employment Security.); and
- B) Able to benefit from a highly intensive and structured approach to job seeking (e.g., the mandatory registrant is in need of job seeking skills); or
- C) Interested in the technique employed.

2) Entry into the Component

As Job Club slots become available, mandatory registrants are assigned to this component. Those mandatory registrants having the most recent employment taking into consideration such factors as the mandatory registrant's work history will be assigned first.

- 3) Participation Requirements
- A) Non-exempt mandatory registrants assigned to this component must cooperate as required by the Job Club to avoid sanction. Failure to attend one job search session, without good cause, shall result in a sanction.
- B) Mandatory registrants must be in full-time attendance as defined by the Job Club.
- 4) Job Search Requirement
- A) As in JS, mandatory registrants are required to make twenty (20) acceptable employer contacts (see Section 114.124) in a thirty (30) day period, or make a greater number of employer contacts as required by the Job Club. Failure to make twenty acceptable employee employer contacts in a thirty (30) day period, or make employer contacts as required by the Job Club, without good cause, results in a sanction. However, no client shall be sanctioned for failure to make the appropriate number of job contacts if the client has made a good faith effort to make the job contacts (see Section 114.124(c)).

- B) Mandatory registrants are required to provide the documentation of acceptable employer contacts (see Section 114.124) required by the Job Club staff.
- 5) Contact with Registrants
- A) Registrants are to contact the Project Chance worker on a monthly basis to verify full-time attendance and the need for supportive services (see Section 114.130). Contact need not be face-to-face. After such review, the Project Chance worker may schedule a meeting with the registrant to determine the registrant's continued eligibility for this component. After such

contact, if it is determined by the registrant and the Project Chance worker that the registrant no longer satisfies the eligibility criteria specified in Section 114.127(c)(1), the mandatory registrant will be reassigned to another component of Project Chance.

- B) Job Club staff shall advise the Project Chance worker of a client's failure to participate as the situation arises.

d) Work Experience

Mandatory registrants who have not found employment and who need orientation to work, work experience, or training, in order to prevent deterioration of, or to enhance existing skills, may be referred to the Work Experience component. This is to provide the client with a meaningful work experience. The work experience shall not use Work Experience mandatory registrants to displace regular employees.

1) Eligibility Criteria

The work Experience component is for mandatory registrants determined:

- A) to have no recent work history or employer references taking into consideration such factors as the mandatory registrant's educational background and previous training; or
- B) to need experience to prevent deterioration of, or to enhance existing skills (e.g., typing).

2) Entry into the Component

- A) Registrants who are determined eligible for the Work Experience component, based on an assessment of their education, training and employment history, may be assigned to the Work Experience. Procedures used in the

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Employment and Training Program Components
(Cont'd)

assessment are a face-to-face meeting with the mandatory registrant and a review of all available information on the mandatory registrant (including but not limited to the mandatory registrant's case record).

- B) The Work Experience is subdivided into Work Experience classifications which include: Clerical Aide, Dietary Aid, Maintenance Aide, and Program Aide. Mandatory registrants shall be placed in any of the classifications, considering to the extent possible, their prior training, proficiency, experience, skills, and vocational preference. Mandatory registrants will be selected from the appropriate subdivision taking into consideration such factors as the mandatory registrant's work history.

3) Participation Requirements

- A) Work assignment consists of three (3) consecutive months. Registrants are required to work with community based not-for-profit, private or government agencies and with public or private education and vocational training institutions. (The date the registrant is to appear at the work assignment begins the work assignment periods.) The registrant is required to work not more than the number of hours that correspond with his/her level of General Assistance grant plus Food Stamp benefits, divided by the federal minimum wage. If the registrant is also a member of a Food Stamp household consisting of more than one person, Food Stamp benefits shall be prorated among all members of the household to determine the number of hours the registrant is required to complete in the work assignment. The minimum number of hours that must be completed within a 30-day period is seventeen and one-half (17 1/2) hours, and the maximum number of hours that must be completed within a 30-day period is

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seventy (70) hours. Clients who receive less than \$58 a month in General Assistance and Food Stamp benefits are not required to participate in this component.

- B) During work assignment, registrants may be required to participate in education and training programs. Additionally, mandatory registrants are required to accept bona fide offers of employment pursuant to Section 114.124.
- C) Registrants are also required to report as scheduled and on time to their work assignment sponsor when notified of an assignment. When they cannot report to their work assignment or if they will be late, they are to immediately notify their work assignment sponsor.
- D) Failure to report to the job assignment initially, without good cause, failure to attend the work assignment one day in a thirty day period, without good cause shall result in a sanction.

4) Job Search

During work assignment, registrants who are not in approved education and training programs are required to make eight (8) acceptable employer contacts in a thirty (30) day period. Failure to make the required employer contacts without good cause, shall result in a sanction. However, no client shall be sanctioned for failure to make the appropriate number of job contacts if the client has made a good faith effort to make the job contacts (see Section 114.124(c)).

5) Reassignment

At the end of the three (3) month period, the registrant's employability will be evaluated using the procedures and criteria described in Section 114.126. If continuing the work

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assignment will benefit the registrant in terms of furthering work skills (see Section 114.124(e)(1)(A) and (B)), the registrant shall be reassigned to the work assignment. Otherwise, the registrant will be assessed for assignment to another Project Chance component. A registrant may only be assigned to two (2) consecutive Work Experience components. If a client has been in Work Experience two (2) consecutive times, the client will be placed in a different component before being placed in Work Experience again.

6) Displacement

A) The work assignment Sponsor shall not use mandatory registrants to displace persons:

i) who are already employed as regular full-time or part-time employees of the Sponsor, regardless of whether those employees are on active status or are on leave status due to disability, personal reasons, or any other reason;

ii) who are or have been involved in a labor dispute between a labor organization and the Sponsor; or

iii) who have been temporarily laid off by the Sponsor.

B) Mandatory registrants or their representatives may file a grievance with the Department if they believe their work assignments are causing displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:

i) the name and address of the mandatory registrant, i.e., the grievant;

ii) the mandatory registrant's public aid case number;

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Section 114.127 Employment and Training Program Components (Cont'd)

iii) the mandatory registrant's social security number;

iv) Work Assignment (work site); and

v) a statement as to why the mandatory registrant believes he/she is causing displacement.

C) Within ten (10) days of receipt of a written grievance, the Department will arrange an in-person conference with:

i) the mandatory registrant;

ii) the mandatory registrant's representative, if any;

iii) the work assignment Sponsor;

iv) the work assignment Sponsor's representative, if any; and

v) the Department's representative.

D) At the in-person conference, the Department will solicit and receive from the mandatory registrant and the work assignment Sponsor any documents and statements relevant to the matters alleged in the grievance. The work assignment Sponsor shall provide whatever documents or other information requested by the mandatory registration and/or the Department.

E) Within fifteen (15) days of the in-person conference, the Department will advise the mandatory registrant and the work assignment Sponsor in writing of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.

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Section 114.127 Employment and Training Program Components (Cont'd)

F) If the Department concludes that displacement occurred, the Department will terminate the mandatory registrant's assignment to that work assignment Sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the work assignment Sponsor has caused displacement by use of Project Chance participants in addition to the mandatory registrant, then the Department may terminate those Project Chance participants' assignment to that work assignment Sponsor.

G) All mandatory registrants are assured that no retaliation will be taken against them by the Department, its employees, or the work assignment Sponsor for filing a grievance or otherwise proceeding under this policy.

e) Special Projects

Mandatory registrants who will benefit from short-term training and job placement assistance are referred to the Special Projects component. The Special Projects component offers special time-limited services for specific target populations. (The location of Special Projects vary depending on area needs and project availability.)

1) Eligibility Criteria

The Special Projects component is for mandatory registrants determined to:

- A) be able to benefit from short-term vocational training (e.g., an individual who has the interest and ability to complete the training program and be hired in a position for which he has trained);
- B) be readily employable with the addition of short-term training (e.g., training for a specific job for which there are jobs available); and

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Section 114.127 Employment and Training Program Components (Cont'd)

- C) meet specific project entry criteria.

2) Entry into the Component

Assignment of mandatory registrants to Special Projects will be made subsequent to participation in the full assessment.

3) Participation Requirements

- A) The mandatory registrant must maintain a level of satisfactory attendance and progress as established and reported by Special Projects staff. Failure to attend training, without good cause, as specified for the Special Projects, shall result in a sanction.

- B) The client must provide verification of attendance and progress (i.e., statements signed by the instructor, records and reports prepared at the end of the term). Additionally, if the Department is paying for transportation to enable the client to participate in the Special Projects the client must provide monthly verification of his attendance.

4) Contact with Registrant

The Project Chance worker contacts mandatory registrants on a monthly basis if the supportive service payments identified in Section 114.130 are issued. Mandatory registrants not requiring supportive service payments or receiving these payments from another source require a contact every six (6) months or at program completion whichever comes first. Mandatory registrant contact consists of attendance reports, progress reports, group or individual sessions, on-site program visits and written correspondence.

- f) A Project Chance mandatory registrant, once assigned to a component, shall not be sanctioned for noncooperation with Project Chance where the alleged

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Section 114.127
(Cont'd)
Employment and Training Program Components
noncooperation is based, in whole or in part, on participation requirements not listed in these rules.
(Source: Amended at 13 Ill. Reg. 8580, effective May 20, 1989)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Public Information, Rulemaking, Department Organization

2) Code Citation: 2 Ill. Adm. Code 1175

Section Numbers:	Adopted Action:
1175.100	amendment
1175.200	amendment
1175.210	amendment
1175.220	amendment
1175.230	amendment
1175.240	amendment
1175.250	amendment
1175.270	amendment
1175.280	amendment
Illustration A	amendment
Illustration B	amendment
Table A	amendment
Table B	amendment
Table C	amendment
Table D	amendment
Table E	amendment

4) Statutory Authority: Sections 3(f), (h), and (i) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, pars. 3434(f), (h), and (i)) and Section 4.01 of The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1.004.01).

5) Effective Date of Rule(s) (Amendments, Repealer): May 23, 1989

6) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐

7) Does this rule (amendment, repealer) contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: May 18, 1989

9) Notice of Proposal Published in Illinois Register: Not Applicable

(issue date) _____, _____ Ill. Reg. _____

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? N/A If answer is "yes," please complete the following:

- A) Statement of Objection: (issue date), Ill. Reg. _____
- B) Agency Response: (issue date), Ill. Reg. _____
- C) Date Agency Response Submitted for Approval to JCAR: _____
- 11) Difference(s) between proposal and final version: Not Applicable
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not Applicable
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: No

Section Numbers Proposed Action Illinois Register Citation

15) Summary and Purpose of Rule(s): Amendments to these internal rules are being adopted to formalize the process DORS will be using in rules development, and to make minor word changes.

16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed
Regulations and Procedures Section
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

The full text of Adopted Rule(s) begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION

SUBTITLE D: CODE DEPARTMENTS

CHAPTER XX: DEPARTMENT OF REHABILITATION SERVICES

PART 1175

PUBLIC INFORMATION, RULEMAKING, DEPARTMENT ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section
1175.50 Public Information Materials
1175.75 Department Manuals
1175.100 Additional Sources of Information

SUBPART B: RULEMAKING

Section
1175.200 Definitions
1175.210 Recommendations for Department of Rehabilitation Services (DORS) Administrative Rules Development
1175.220 Review of Recommended Rulemaking
1175.230 Rule Development
1175.240 Rule Approval
1175.250 In-House Distribution of Proposed Administrative Rules
1175.260 Public Comments
1175.270 Requests for Public Hearings
1175.280 Filing of Proposed Administrative Rules with the Joint Committee on Administrative Rules (JCAR)
1175.290 Adopted Administrative Rules

SUBPART C: DEPARTMENT ORGANIZATION

Section
1175.700 Director
1175.710 Rehabilitation Services Advisory Council
1175.720 Staffing

Illustration A Rulemaking Flow Chart
Illustration B Organizational Chart

Table A Department Organization
Table B Bureau of Rehabilitation Services for Adults and Children
Table C Bureau of Rehabilitation Blind Services for the Determination
Table D Bureau of Disability Adjudication Services
Table E Bureau of Disability Adjudication Services Finance and Operations

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

AUTHORITY: Implementing and authorized by Sections 3 (f), (h), and (i) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat., 1987, ch. 23 pars. 3434(f), (h), and (i)) and Section 4.01 of The Illinois Administrative Procedure Act (Ill. Rev. Stat., 1987, ch. 127, par. 1.004.01).

SOURCE: Adopted at 8 Ill. Reg. 9117, effective June 15, 1984; amended at 8 Ill. Reg. 16838, effective September 14, 1984; amended at 10 Ill. Reg. 20744, effective December 2, 1986; amended at 13 Ill. Reg. 8604, effective May 23, 1989.

NOTE: Capitalization denotes statutory language.

SUBPART A: PUBLIC INFORMATION

Section 1175.100 Additional Sources of Information

- a) Specific requests for information regarding DORS' services and programs may be directed to:

Policy/Information Promulgation Section
Division of Media and Public Information Unit
Affairs
Department of Rehabilitation Services
P. O. Box 4587 19429
623 East Adams
Springfield, Illinois 62705 62794-9429

- b) Requests for information regarding other programs and services available to the disabled people of persons with disabilities in Illinois may be directed to the Disabled Individual's Assistance Line (DIAL) by calling: (312) 793-5000 (800) 233-3425 (Voice or Telephone Device for the Deaf (TDD)).

- c) Questions relating to eligibility for DORS' programs or services should be directed to the local DORS field office.

- d) Requests Concerning Problems

- d) 1) Requests for information or assistance regarding problems encountered in receiving or obtaining DORS' services should first be directed to the DORS counselor.

DEPARTMENT OF REHABILITATION SERVICES

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- 2) However, assistance with problems encountered by DORS' clients, ~~or~~ prospective or past clients may also be requested from:

Client-Counselor Assistance Project Program
Department of Rehabilitation Services
P. O. Box 4587
623 East Adams 100 N. First, 1st Floor
Springfield, Illinois 62705 62702
(312) 782-5374 (800) 641-3929 (Voice or TDD)

(Source: Amended at 13 Ill. Reg. 8604 effective May 23, 1989.)

SUBPART B: RULEMAKING

Section 1175.200 Definitions

"Advisory Councils" means the DORS Consumer Advisory Councils, DORS Facility Advisory Councils, and the Rehabilitation Services Advisory Council.

"Central Office" means those offices responsible for administering the Department's duties on a statewide basis.

"Director" means the Director of the Illinois Department of Rehabilitation Services DORS.

"Department" "DORS" means the Illinois Department of Rehabilitation Services.

"Facility" means Illinois School for the Deaf, Illinois School for the Visually Impaired, Illinois Children's School and Rehabilitation Center, or Illinois Visually Handicapped Institute/Community Services for Visually Handicapped.

"Field Office" means each location maintained by the Department DORS for the purpose of providing direct service contact with the general public.

"IAPA" means The Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, pars. 1001 et seq.).

DEPARTMENT OF REHABILITATION SERVICES

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"Liaison" means a designated DORS staff person responsible for coordinating activities and communications between the Department DORS and the respective an advisory council.

"Regional Office" means these an office locations responsible for administrative duties for a geographical area of the state containing several field offices.

"RULES" MEANS EACH AGENCY STATEMENT OF GENERAL APPLICABILITY THAT IMPLEMENTS, APPLIES, INTERPRETS OR PRESCRIBES LAW OR POLICY, BUT DOES NOT INCLUDE:

STATEMENTS CONCERNING ONLY THE INTERNAL MANAGEMENT OF AN AGENCY AND NOT AFFECTING PRIVATE RIGHTS OR PROCEDURES AVAILABLE TO PERSONS OR ENTITIES OUTSIDE THE AGENCY,

INFORMAL ADVISORY RULINGS ISSUED PURSUANT TO SECTION 9 OF THE IAPA (Ill. Rev. Stat. 1987, ch. 127, Par. 1009),

INTRA-AGENCY MEMORANDA, OR

THE PRESCRIPTION OF STANDARDIZED FORMS. "The Illinois Administrative Procedure Act" Section 3.09 of the IAPA (Ill. Rev. Stat. 1983, 6ch. 127, Par. 1003.09).

(Source: Amended at 13 Ill. Reg. 8604 effective May 23, 1989)

Section 1175.210 Recommendations for Department of Rehabilitation Services (DORS) Administrative Rules Development

a) Recommendations for Rules development may be made by:

- 1) DORS staff,
 - 2) DORS Advisory Councils, and/or
 - 3) members of the public.
- b) Recommendations for rules development must go through the appropriate channels.

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1) DORS staff must submit recommendations to the respective Deputy Director, Bureau Administrator Assistant Director, or Section Division Manager (for Director's staff).

2) DORS Advisory Councils may make recommendations for rulemaking to the Director through the respective Department DORS liaison.

3) Members of the public may submit recommendations to:

Consumer Affairs Unit Regulations and Procedures Section
Department of Rehabilitation Services
P. O. Box 1587 19429
623 East Adams
Springfield, Illinois 62705 62794-9429

c) Each Recommendations shall must include:

- 1) the suggested text of the proposed rulemaking, and
- 2) a statement of reasons supporting the recommendation, including the purpose and effect of the recommendation.

(Source: Amended at 13 Ill. Reg. 8604 effective May 23, 1989)

Section 1175.220 Review of Recommended Rulemaking

a) All recommendations for suggested rulemaking will be reviewed by designated Department DORS staff.

b) The reviewer may return the recommendation to the originator with a request for more information or fee because it lacks of substance.

c) Recommendations considered appropriate shall be forwarded to the Policy/Information Promotion Section Regulations and Procedures Section (RPS).

(Source: Amended at 13 Ill. Reg. 8604 effective May 23, 1989)

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Section 1175.230 Rule Development

Section 1175.240 Rule Approval

a) The Policy/Information Premulgation Section RPS shall act upon all recommended rulemaking received through the proper channels by developing, with necessary program staff input, a draft rule.

b) The draft rule will then be submitted to the DORS' Management Committee Executive Council, Client Assistance Program (CAP), Rehabilitation Services Advisory Council (RSAC), and State Consumer Advisory Council (SCAC) for consideration and comments. The Management Committee Executive Council is composed of:

- 1) the Director of the Department of Rehabilitation Services (DORS),
- 2) the Executive Associate Assistant Director of the Department DORS,
- 3) Section Division Managers within the Director's Office, and
- 4) the Bureau Administrators Deputy Directors of each of Department of Rehabilitation Services DORS' bureaus.

c) Substantive comments submitted in conjunction with subsection (b) will be discussed with the Executive Council with a final decision made by the Director.

d) Peremptory rulemaking, as defined in Section 5.03 of the IAPA (Ill. Rev. Stat. 1987, ch. 127, par. 1005.03), will only be reviewed and approved by DORS' Legal Section, appropriate Deputy Director(s), and Assistant Director prior to being submitted to the Director.

e) Emergency rulemaking, as defined in Section 5.02 of the IAPA (Ill. Rev. Stat. 1987, ch. 127, par. 1005.02), will be submitted only to the Executive Council for approval without the initial distribution of draft rules outlined in subsection (b). Following approval by the Executive Council, the rulemaking will be submitted to the Director.

(Source: Amended at 13 Ill. Reg. 8604
effective May 23, 1989)

All proposed rulemaking must receive final approval by the Director prior to filing with the Secretary of State in compliance with the Illinois Administrative Procedure Act, the IAPA (Ill. Rev. Stat. 1987, ch. 127, par. 1001).

(Source: Amended at 13 Ill. Reg. 8604
effective May 23, 1989)

Section 1175.250 In-House Distribution of Proposed Administrative Rules

Copies of all proposed administrative rules shall go for review to:

- a) each Rehabilitation Services Advisory Council member,
- b) each DORS State Consumer Advisory Council member,
- c) all DORS' Regional Offices and Business Service Offices for access by the public.

(Source: Amended at 13 Ill. Reg. 8604
effective May 23, 1989)

Section 1175.270 Requests for Public Hearings

a) Public hearings shall be held to obtain public comments on proposed rules when required by criteria set forth in Section 5.01(a) of the Illinois Administrative Procedure Act, the IAPA (Ill. Rev. Stat. 1987, ch. 127, par. 1005.01(a)).

b) Public requests for hearings on proposed administrative rules shall be directed to the contact person designated in the notice of proposed rulemaking.

c) Public hearings will be held in such a manner as to most effectively collect and review comments by concerned citizens.

d) Public hearings shall be conducted in accordance with Section 5.01(a) of the Illinois Administrative Procedure Act, the IAPA (Ill. Rev. Stat. 1987, ch. 127, par. 1005.01(a)).

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- e) Public hearings shall be accessible to handicapped individuals persons with disabilities in compliance with Executive Order 79-5, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Illinois Human Rights Act (Ill. Rev. Stat. 1981, 6ch. 68, pars. 1-101 et seq.) upon notification of anticipated attendance.
- f) Comments from public hearings shall be considered in the development of DORS administrative rules.

(Source: Amended at 13 Ill. Reg. 8604 effective May 23, 1989)

Section 1175.280 Filing of Proposed Administrative Rules with the Joint Committee on Administrative Rules (JCAR)

- a) Proposed administrative rules shall be filed with JCAR in accordance with Section 5.01(b) of the Illinois Administrative Procedure Act IAPA (Ill. Rev. Stat. 1987, ch. 127, par. 1005.0116) and rules promulgated by JCAR (1 Ill. Adm. Code: Chapter II).

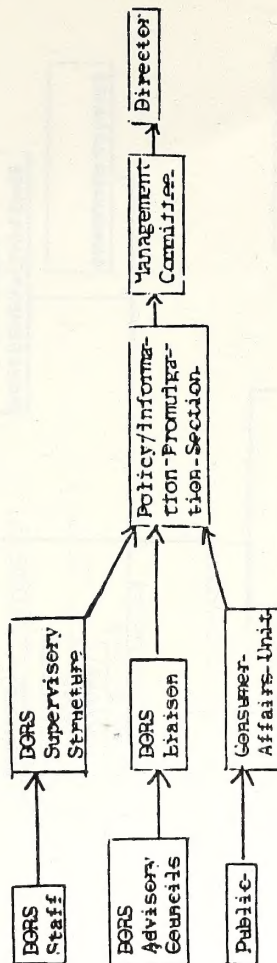
- b) Comments from JCAR shall be considered in the final development of DORS' administrative rules.

(Source: Amended at 13 Ill. Reg. 8604 effective May 23, 1989)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

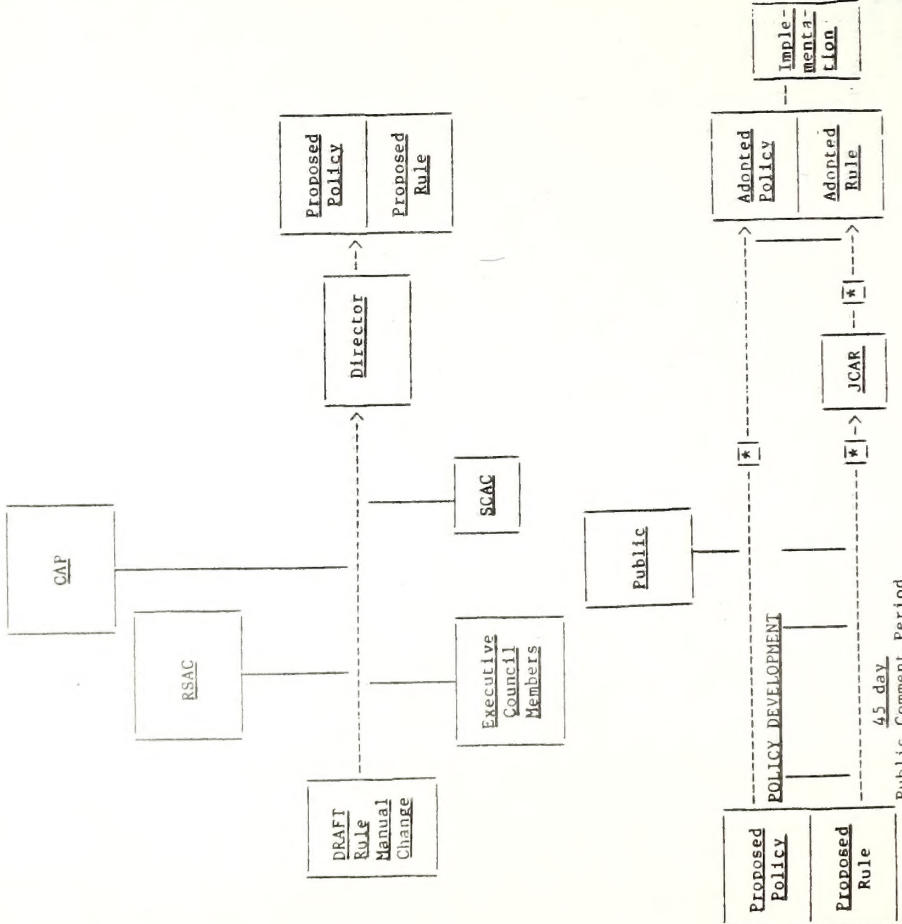
Section 1175. Illustration A Rulemaking Flow Chart



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Section 1175. Illustration A Rulemaking Flow Chart



* Review of comments received and appropriate revisions incorporated by Regs and Procedures Staff approved by that program's Deputy Director.

(Source: Amended at 13, Ill. Reg. 8604 effective May 23, 1989)

Illustration B: Organizational Chart
Table A: Department Organization

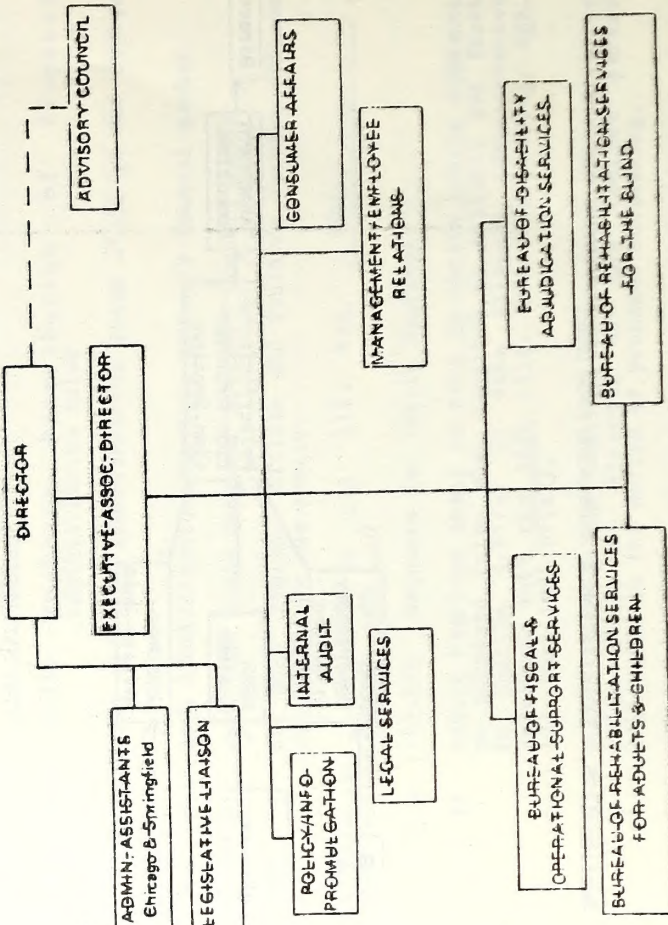


Illustration B: Organizational Chart
Table A: Department Organization

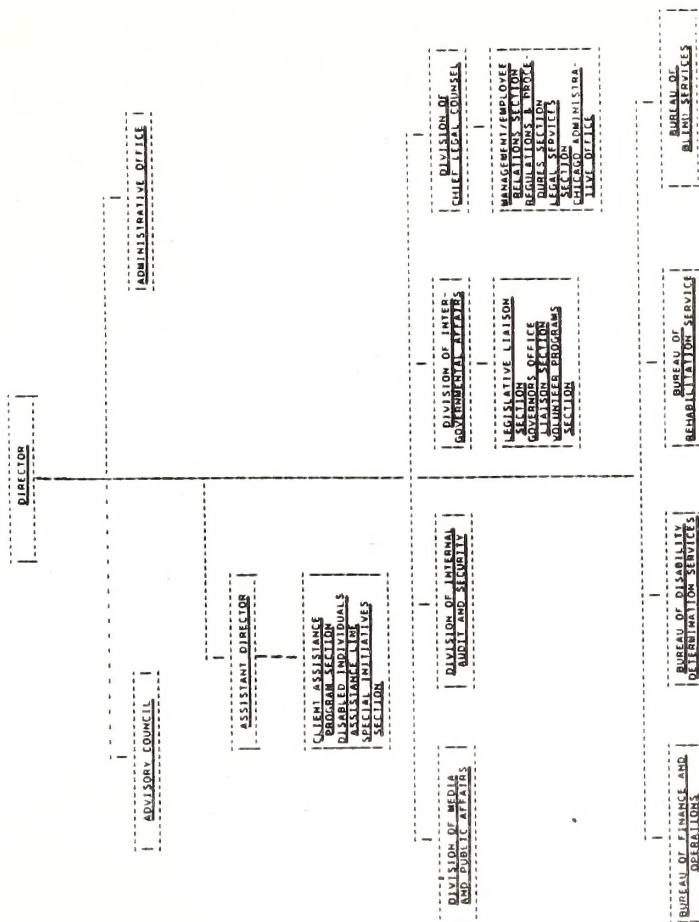
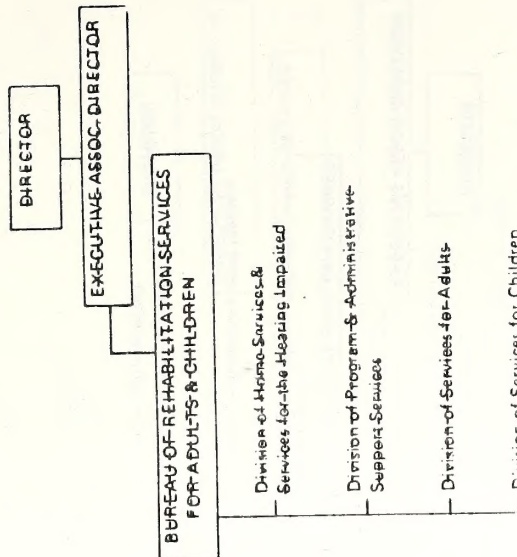


Illustration B: Organizational Chart
Table B: Bureau of Rehabilitation Services for Adults and Children

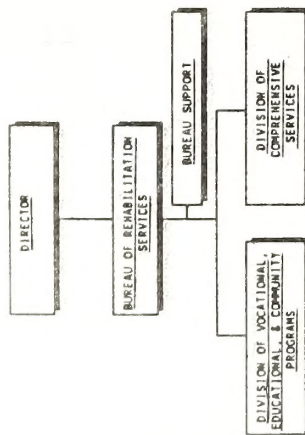


DEPARTMENT OF REHABILITATION SERVICES

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Illustration B: Organizational Chart

Table B: Bureau of Rehabilitation Services for Adults and Children

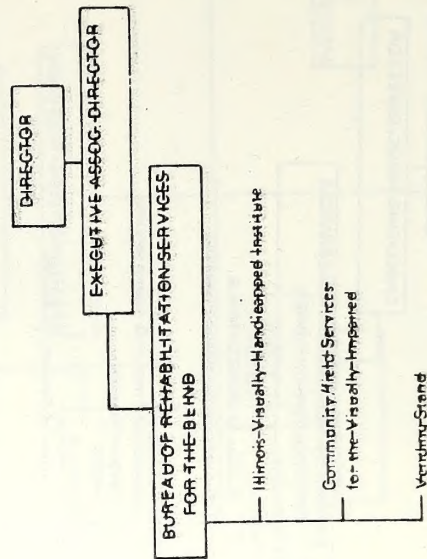


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Illustration B: Organizational Chart

Table C: Bureau of Rehabilitation Blind Services for the Blind

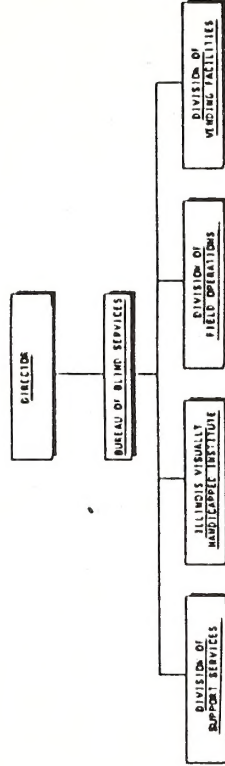


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Illustration B: Organizational Chart

Table C: Bureau of Rehabilitation Blind Services for the Blind

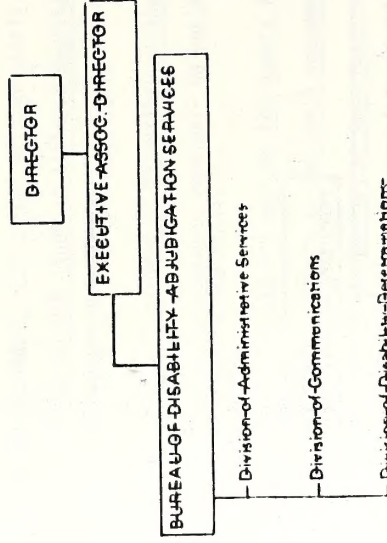


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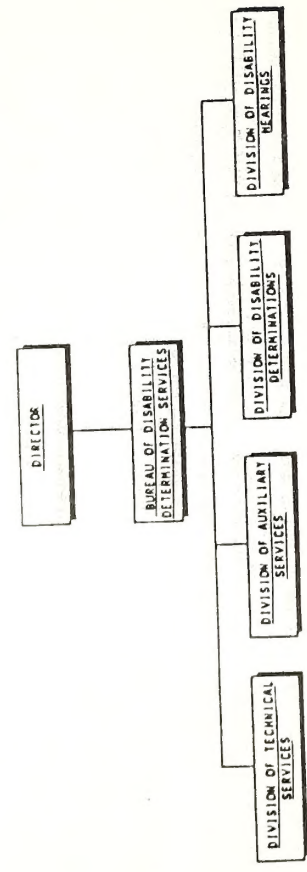
Illustration B: Organizational Chart

Table D: Bureau of Disability ~~Adjudication~~ Determination Services



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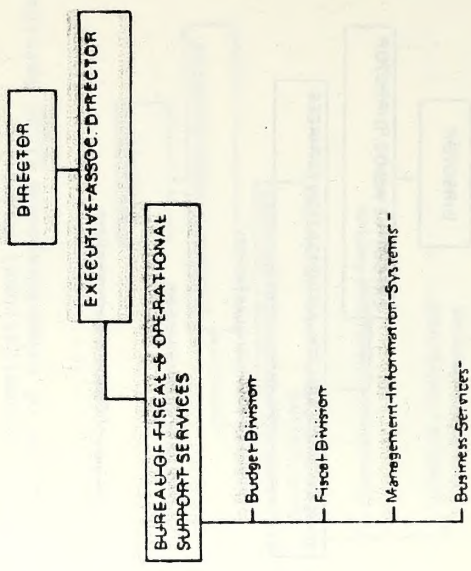
Illustration B: Organizational Chart
Table D: Bureau of Disability ~~Adjudication~~ Determination Services



(Source: Amended at 13 Ill. Reg. 8604
effective May 23, 1989)

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DEPARTMENT OF REHABILITATION SERVICES
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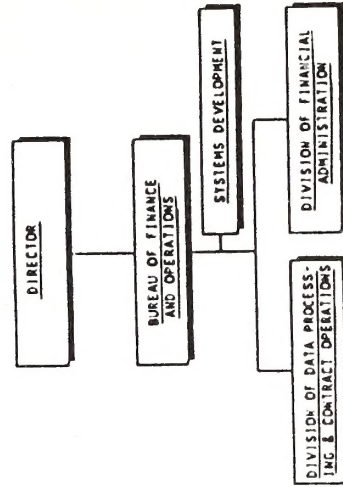
Illustration B: Organizational Chart
Table E: Bureau of ~~Disability Adjudication Services~~ Finance and Operations



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Illustration B: Organizational Chart

Table E: Bureau of ~~Disability Adjustment Services~~ Finance and Operations.

STATE SCHOLARSHIP COMMISSION

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- 1) The Heading of the Part: General Provisions
- 2) Code citation: 23 Ill. Adm. Code 1700
- 3) Section Numbers: 1700.20 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Public Law 100-297 and authorized by Section 30-15.4(f) of the Higher Education Student Assistance Law.
- 5) Effective date of Amendments: July 1, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain an incorporation by reference? No
- 8) Date Filed in Agency's Principal Office: April 10, 1989
- 9) Notice of Proposal Published in Illinois Register:
November 14, 1988 12 Ill. Reg. 18110
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences from the proposed version: No substantive changes have been made to the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The amendments to Part 1700 substitute the title "Robert T. Stafford Loan Program" for the "Illinois Guaranteed Loan Program" as required by P.L. 100-297.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Larry E. Matejka
Executive Director
Illinois State Scholarship Commission
106 Wilmet Road
Deerfield, Illinois 60015
(312) 948-8500

The full text of the Adopted Amendments begins on the next page:

STATE SCHOLARSHIP COMMISSION

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NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER IX: STATE SCHOLARSHIP COMMISSION

PART 1700

GENERAL PROVISIONS

Section
1700.10
1700.20
1700.30
1700.40
1700.50
1700.55
1700.60
1700.70

Summary and Purpose

Definitions

General Institutional Eligibility Requirements

General Applicant Eligibility Requirements

Determining Applicant Eligibility

Electronic Data Exchanges

Audits and Investigations

Appeal Procedures

AUTHORITY: Implementing the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, par. 30-15 et seq.), the Education Loan Purchase Program Law (Ill. Rev. Stat. 1987, ch. 122, par. 30-15.14a et seq.), Title IV of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1070 et seq.); and authorized by Section 30-15.4(f) of the Higher Education Student Assistance Law.

SOURCE: Adopted at 9 Ill. Reg. 20783, effective January 1, 1986; amended at 11 Ill. Reg. 3167, effective January 29, 1987; amended at 11 Ill. Reg. 14099, effective August 10, 1987; amended at 12 Ill. Reg. 11510, effective July 1, 1988; amended at 13 Ill. Reg. 8626, effective July 1, 1989.

Section 1700.20 Definitions

"Academic Level" - The classification of a student as freshman, sophomore, junior, senior, or graduate student.

"Academic Year" - A twelve month period of time, normally from August or September of any year through August or September of the ensuing year.

"Applicant" - Any individual who requests ISSC consideration for a scholarship, grant, tuition waiver, or guaranteed loan.

"Citizen" - One who, under the Constitution and laws of the United States, is a native-born or naturalized citizen of the United States of America.

"Commission" - The nine member State Scholarship Commission created by the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, par. 30-15.3).

"Concurrent Registration" - The contemporaneous maintenance of enrollment at two or more institutions.

"ED" - The acronym for the United States Department of Education.

"Eligible Non-citizen" - For the purposes of these Rules, eligible non-citizen is defined as non-citizens eligible for federal student assistance pursuant to Section 484 of the Higher Education Act of 1965, as amended. (20 U.S.C.A. 1091) (19867) This definition does not include any later amendments or editions.

"Enrolled" - The status of a student who has completed the institution's registration requirements and is attending classes.

"Executive Director" - The chief executive officer of the ISSC.

"Full-time Student" - An individual enrolled for twelve or more credit hours, for either a semester or quarter term.

"Gift Assistance" - Student assistance funds in the form of a scholarship, grant or tuition waiver.

"Good Moral Character" - An applicant is of good moral character if the applicant will benefit from postsecondary instruction and is allowed to enroll at an approved postsecondary institution.

"Guaranteed Loans" - Student assistance through the Illinois Robert T. Stafford ~~Guaranteed~~ Loan Program (~~HELP~~), the PLUS Program, ~~or the~~ Supplemental Loans for Students (SLS) Program, ~~or the Consolidation Loan Program.~~

"Half-time Student" - An individual enrolled for six or more credit hours (but less than twelve credit hours) for either a semester or quarter term.

"Independent Student" - For the purposes of these Rules, independent student is defined by Section 480 of the Higher Education Act of 1965, as amended. (20 U.S.C.A. 1087vv) (19867) This definition does not include any later amendments or editions.

"Institution" - Unless otherwise qualified, any secondary or post-secondary educational organization which enrolls students who participate in ISSC programs.

"ISSC" - The acronym for the Illinois State Scholarship Commission; the administrative agency created by Section 30-15.3 of the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, par. 30-15.3) to administer the State's student assistance programs. (Ill. Rev. Stat. 1986, ch. 122, par. 30-15 et seq.)

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"Mandatory Fees" - The charges assessed by an institution to each and every student for each term. Application, graduation, laboratory, breakage and add/drop fees are specifically excluded. For the purposes of these Rules, Tuition is not a mandatory fee.

"Parent" - For the purpose of these Rules, "Parent" is defined at 34 CFR 668 (19867). This definition does not include any later amendments or editions.

"Pell Grant" - A gift assistance program administered by ED in accordance with Section 411 of the Higher Education Act of 1965, as amended. (20 U.S.C.A. 1070a et seq.)

"Regular School Year" - An eight to nine month period of time which includes two semester terms or three quarter terms. The regular school year excludes summer terms and special terms. Programs that begin after April 15 and before August 16 are considered summer terms.

"Regulations" - Refers to regulations promulgated by ED and codified at 34 CFR 668 et seq. (19867).

"Resident of Illinois" - 1) A non-independent student with at least one Parent who resides in Illinois, or; 2) an Independent Student who resides in Illinois (at the time of application), and has so resided for a period of twelve continuous months immediately prior to September 1 of the Academic Year for which assistance is requested.

"Rules" - The rules of the ISSC codified at 23 Ill. Adm. Code: Subtitle A, Chapter IX.

"Satisfactory Academic Progress" - An institutional policy which establishes minimum standards of academic performance. For purposes of ISSC-administered programs, the standards must be at least as stringent as those required by ED pursuant to Section 484 of the Higher Education Act of 1965, as amended. (20 U.S.C.A. 1091)

"Term" - A unit of time for student attendance, including, but not limited to, a quarter or semester.

"Tuition" - The charge for instruction assessed by a postsecondary institution.

"Verification" - Procedures implemented by postsecondary institutions to verify the eligibility of applicants. The procedures are established by 34 CFR 668 et seq. (19867) and by these Rules. This definition does not include any later amendments or editions.

(Source: Amended at 13 Ill. Reg. 8626, effective July 1, 1989)

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1) The Heading of the Part: Guaranteed Loan Programs

2) Code citation: 23 Ill. Adm. Code 1720

3) Section Numbers:

1720.6
1720.10
1720.20
1720.30
1720.40
1720.50
1720.60
1720.70
1720.75
1720.120

Adopted Action:

Amendment
Amendment
Amendment
Amendment
Amendment
Amendment
Amendment
Repealed
Amendment

4) Statutory Authority: Implementing Sections 30-15.10 et seq. of the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, pars. 30-15.10 et seq.), the Education Loan Purchase Program Law (Ill. Rev. Stat. 1987, ch. 122, pars. 30-15.14a et seq.), Title IV, Part B, of the Higher Education Act of 1965, as amended, by P.L. 100-297 and 100-369 (20 U.S.C.A. 1071 et seq.); and authorized by Section 30-15.4(f) of the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, par. 30-15.4(f)).

5) Effective date of Amendments: July 1, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain an incorporation by reference? No

8) Date Filed in Agency's Principal Office: April 10, 1989

9) Notice of Proposal Published in Illinois Register:

November 14, 1988 12 Ill. Reg. 18114

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences from the proposed version: No substantive changes have been made to the proposed amendments. Clarifications have been incorporated at the suggestion of the Administrative Code Unit and JCAR staff.

12) Have all the changes agreed upon by the agency and JCAR been made? Yes

STATE SCHOLARSHIP COMMISSION
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13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: The amendments add references to Stafford Loans as required by P.L. 100-297, delete provisions which are redundant with federal law, update statutory and regulatory citations, and provide requested clarifications.

Substantive policy changes include the elimination of the ISSC Program Participation Agreement for schools that participate in only the guaranteed loan programs, a relaxation of the one lender/one holder rule requirement, and a revised method of computing the amount of a lender's default reimbursement.

The amendments to §§1720.10(a), 1720.40(a), and 1720.50(k) permit lenders to utilize certain non-ISSC forms provided the use of the forms has been approved, in advance, by ISSC and ED. ISSC continues to require that lenders utilize only ISSC supplied promissory notes.

16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Larry E. Matejka
Executive Director
Illinois State Scholarship Commission
106 Wilmet Road
Deerfield, Illinois 60015
(312) 948-8500

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER IX: STATE SCHOLARSHIP COMMISSION

PART 1720

GUARANTEED LOAN PROGRAMS

SUBPART A: THE ILLINOIS GUARANTEED ROBERT T. STAFFORD LOAN PROGRAM
(16LP), PLUS PROGRAM, AND SUPPLEMENTAL LOANS FOR STUDENTS (SLS) PROGRAM
AND CONSOLIDATION LOAN PROGRAM

Section	Summary and Purpose
1720.5	Definitions
1720.6	Eligibility for ISSC Loan Guarantees
1720.10	Lender Eligibility
1720.20	Institutional Eligibility
1720.30	Procedures for Obtaining a Guaranteed Loan
1720.40	Procedures for Disbursement and Repayment
1720.50	Consolidation Loan/unLoan Program
1720.55	Preclaim Assistance
1720.60	Reimbursement Procedures
1720.70	Cure Procedures (Repealed)
1720.75	Student Insurance Premium
1720.80	Default/Collection (Repealed)
1720.90	General (Repealed)
1720.100	Student Insurance Premium (Renumbered)
1720.110	

SUBPART B: ILLINOIS DESIGNATED ACCOUNT PURCHASE PROGRAM (IDAPP)

Section	Summary and Purpose
1720.105	IDAPP Eligible Loans
1720.120	IDAPP Eligible Lenders
1720.130	IDAPP Purchase Formula (Repealed)
1720.140	

SUBPART C: ISSC ORIGINATED LOANS

Section	ISSC Originated Consolidation Loans
1720.200	

APPENDIX A	Required Activities of Educational Lenders
APPENDIX B	Alternate IDAPP Purchase Formula (Repealed)

AUTHORITY: Implementing Sections 30-15.10 et seq. of the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, pars. 30-15.10 et seq.), the Education Loan Purchase Program Law (Ill. Rev. Stat. 1987, ch. 122, pars. 30-15.14a et seq. as amended by P.A. 85-1398, effective July 1, 1988), Title IV, Part B, of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1071 et seq.); and authorized by Section 30-15.4(f) of the Higher Education Student Assistance Law (Ill. Rev. Stat. 1987, ch. 122, par. 30-15.4(f)).

STATE SCHOLARSHIP COMMISSION

NOTICE OF ADOPTED AMENDMENTS

SOURCE: Adopted at 3 Ill. Reg. 4, p.38, effective January 26, 1979; amended at 5 Ill. Reg. 8698, effective August 17, 1981; emergency rule and emergency repealer at 6 Ill. Reg. 7558, 7573, effective June 9, 1982, for a maximum of 150 days; new rules adopted at 6 Ill. Reg. 13799, effective October 25, 1982; old rules repealed at 6 Ill. Reg. 15254, effective December 3, 1982; emergency amendment at 7 Ill. Reg. 9942, effective August 8, 1983, for a maximum of 150 days; codified at 7 Ill. Reg. 13309; amended at 8 Ill. Reg. 876, effective January 9, 1984; amended at 8 Ill. Reg. 7286, effective May 18, 1984; amended at 8 Ill. Reg. 17006, effective September 5, 1984; amended at 9 Ill. Reg. 20796, effective January 1, 1986; amended at 11 Ill. Reg. 3181, effective January 29, 1987; emergency amendment at 11 Ill. Reg. 13669, effective August 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14103, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 18370, effective October 23, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20989, effective January 1, 1988; amended at 12 Ill. Reg. 6971, effective April 1, 1988; amended at 12 Ill. Reg. 11520, effective July 1, 1988; emergency amendment at 12 Ill. Reg. 15221, effective September 15, 1988, for a maximum of 150 days; emergency expired February 12, 1989; amended at 13 Ill. Reg. 2872, effective February 16, 1989; amended at 13 Ill. Reg. 8630, effective July 1, 1989.

SUBPART A: THE ILLINOIS GUARANTEED ROBERT T. STAFFORD LOAN PROGRAM
(IGLP), PLUS PROGRAM, AND SUPPLEMENTAL LOANS FOR STUDENTS (SLS) PROGRAM
AND CONSOLIDATION LOAN PROGRAM

Section 1720.6 Definitions

"Academic Year" - For the purposes of the this Part, is defined at 34 CFR 668.2. ~~an eight to nine month period of time during which a student could complete the equivalent of two semesters or three quarters of enrollment.~~

"Default Status" - The failure of a borrower to make an installment payment when due or to meet terms of the Note, provided this failure persists for 180 days under circumstances where the ISSC finds it reasonable to conclude the borrower no longer intends to honor the repayment obligation. Such circumstances include, but are not limited to, a refusal to make payment by the borrower.

"Delinquency Status" - The failure of a borrower to make an installment payment when due, provided this failure persists for 30 days.

"Disbursement" - The process of transferring funds from the lender to the borrower. Educational Institutions participate in the Disbursement process.

"Federal Regulations" - Regulations promulgated by ED and codified at 34 CFR 668 and 682 (1986). See: 51 Fed. Reg. 40886 (1986).

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"Holder" - An organization authorized by ED and the ISSC to purchase and Guarantee Loans. These organizations operate as secondary markets and purchase ISSC Guaranteed Loans from approved lenders. The ISSC's Illinois Designated Account Purchase Program (IDAPP) and the Student Loan Marketing Association (SLMA) are approved Holders.

"IDAPP" - The acronym for the ISSC's Illinois Designated Account Purchase Program as authorized by the Education Loan Purchase Program Law. (Ill. Rev. Stat. 1985, ch. 122, par. 30-15.14a et seq.)

~~"IGLP" - The acronym for Illinois Guaranteed Loan Program as authorized by the Higher Education Act of 1965, as amended, (20 U.S.C. 1071 et seq., 1985) and the Higher Education Student Assistance Law. (Ill. Rev. Stat. 1985, ch. 122, par. 30-15.10 et seq.)~~

"Lender" - Defined by Section 435 of the Higher Education Act of 1965, as amended. (20 U.S.C.A. 1085)

"PLUS" - A Program which provides loans to Parents of certain students, as authorized by Section 4288 of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1078-2) and the Higher Education Student Assistance Law. (Ill. Rev. Stat. 1985, ch. 122, par. 30-15.10 et seq.)

"SLS" - The acronym for Supplemental Loans for Students Program, as authorized by Section 428A of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1078-1) and the Higher Education Student Assistance Law. (Ill. Rev. Stat. 1985, ch. 122, par. 30-15.10 et seq.)

(Source: Amended at 13 Ill Reg. 8630, effective July 1, 1989)

Section 1720.10 Eligibility for ISSC Loan Guarantees

- a) Applicants ~~shall~~ may apply for ~~an IGLP loan guarantee~~ a Stafford Loan by submitting either an ISSC approved application form or by submitting one of the applications specified at 23 Ill. Adm. Code 1735.30. When applying for a PLUS or SLS loan guarantee, the Applicant shall utilize the PLUS or SLS application form. Applications are available from Lenders, Institutions, or the ISSC.
- b) The student and borrower(s) must be Citizens or Eligible Non-citizens.
- c) The student must be Enrolled, or accepted for enrollment, at an approved postsecondary Institution on at least a half-time basis. If the student is attending an approved foreign Institution, the student and borrower(s) must be Citizens of the United States.

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d) An Applicant shall not be disqualified by ISSC provided the Lender, the Institution, the student, and the borrower meet the eligibility requirements of Title IV, Part B, of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1071 et seq.), Federal Regulations and of this Part.

e) No loan guarantee shall be issued to any student if such loan would exceed the annual or aggregate amount permitted such borrower for the Academic Year, as specified by Section 428 of the Higher Education Act of 1965, as amended. (20 U.S.C.A. 1078)

f) The Institution shall compute a recommended loan amount for each Applicant. No Guaranteed Loan may exceed the Institution's recommended amount.

1) ~~In calculating the~~ When certifying loan eligibility ~~amount for an~~ Academic Year which will span Academic Levels, the Institution's recommended loan amount shall not exceed the maximum permitted for the Applicant's Academic Level at the time of certification. ~~of the Applicant's first term of enrollment in that Academic Year.~~

Example: A student desires a Stafford Loan ~~loan~~ for a two semester period of enrollment beginning 8/20/87 and concluding 5/15/88. During the fall 1987 Term the student will be a sophomore and during the spring 1988 Term the student anticipates attaining the Academic Level of Junior. ~~The~~ Prior to the borrower's successful completion of the fall Term, the Institution's recommended loan amount shall not exceed the \$2,625 loan permitted sophomore borrowers.

2) Should a student borrow in excess of the permitted loan maximums, the Institution shall terminate the student's eligibility for federal financial assistance for that Academic Year. See Section 484 of the Higher Education Act of 1965, as amended. (20 U.S.C.A. 1091)

g) Students Enrolled in a secondary Institution may not utilize Guaranteed Loan proceeds to enroll concurrently in a vocational Institution.

(Source: Amended at 13 Ill. Reg. 8630, effective July 1, 1989)

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Section 1720.20 Lender Eligibility

a) Lender Agreement

1) All approved Lenders must execute an ISSC Lender Agreement prior to participating in the Stafford, PLUS, SLS and consolidation loan ~~unil~~ loan programs.

2) Lenders must have received ED approval prior to executing a Lender Agreement.

3) The Lender Agreement shall include provisions requiring Lenders to:

A) Comply with statutes, Federal Regulations, Rules, and procedures; and

B) Provide such information as ISSC may request relating to borrower demographics, collection records and other documents the ISSC may need to comply with Federal Regulations. See: Sections 1720.60 (a) and 1720.70(c).

4) Lenders and the ISSC may agree to electronically transmit and receive data. ISSC shall provide the Lender with program documentation and reasonable technical assistance related to electronic data exchange. ISSC and the Lender shall agree that the information and data shall be confidential and shall not be used, disclosed, sold or shared for any purpose other than those directly related to the administration of the ISSC's Guaranteed Loan programs.

5) Termination of the Lender Agreement may be made by either the Lender or ISSC with thirty (30) days written notice. Termination shall not affect any obligations incurred prior to the time such termination becomes effective.

b) Eligible Lenders shall employ an adequate number of qualified persons to administer its responsibilities under the ISSC Rules. In determining whether a Lender employs an adequate number of qualified persons, the ISSC considers the number of students aided, the number of applications evaluated and the amount of funds administered.

c) In addition to the provision of subsection (a), the Lender Agreement for insurance companies approved as Lenders shall require:

1) advertising and promotional materials consistent with Section 761 of the Illinois Insurance Code (Ill. Rev. Stat. 1985, ch. 73, par. 761) and 50 Ill. Adm. Code 909;

2) compliance with Article XXVI of the Illinois Insurance Code (Ill. Rev. Stat. 1985, ch. 73, pars. 1028 et seq.).

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d) Illinois educational Institutions shall be approved as Lenders by the Commission if approved by ED and meet the following requirements.

- 1) The specific materials and procedures for an Institution to follow in seeking approval as an eligible lender are:
 - A) An audited, certified, and preferably unqualified annual financial statement prepared by a firm of certified public accountants (CPA). The statement must cover a period of no less than 12 months and be no more than 12 months old at the time of submission. The CPA firm must express an acceptable opinion on the statement, and the statement shall consist of no less than a balance sheet, a statement of profit and loss, and all attendant notes thereto.
 - B) An institutional catalogue, and a statement of the Institution's educational costs and refund policies.
 - C) A statement of the Institution's default/delinquency experience as a Lender in the Perkins Loan Program and/or Federal Insured Student Loan (FISL) program (20 U.S.C.A. 1071 et seq.) (1986), and a release to permit the ISSC to solicit further data from ED or the Institution's service agency, if any, with respect to such records.
 - D) A statement which demonstrates the Institution's administrative ability to comply with all servicing requirements of the program.
 - E) Bank and other credit references and a release to permit ISSC to inquire of these references.
 - F) A statement explaining the source of the Institution's lending capital.
 - G) A statement providing the amount of lending authority sought for the applicable fiscal year and an estimate of the lending volume expected in each of the two succeeding fiscal years.
 - H) Any other materials which might be requested by ISSC to show the Institution's potential qualifications as a Lender.
- 2) In addition to the above materials, a school which is organized on a for-profit basis will be requested to submit a:
 - A) Copy of its student contract;
 - B) Description of its admission/sales staff and their functions;
 - C) Statement of the Institution's drop-out/completion rates;
 - D) Sample of the Institution's advertising materials; and
 - E) Description or copies of student complaints filed with the Institution in the last two years. In addition to these materials, ISSC will secure a Dun and Bradstreet Report on the Institution, a statement from the Better Business Bureau with regard to any consumer complaints, and a statement from the Institution's accrediting association.
- 3) The applications for eligible Lender status in the Programs and the supporting documentation shall be reviewed by ISSC. ISSC shall inform applicant Institution of its proposed recommendations to the Commission prior to the meeting at which action on the application will be taken. The Applicant Institution shall also be informed of the recommendation for its annual lending limit as well as any additions to the Lender Agreement which ISSC feels prudent in individual instances to protect the default record of ISSC. The Institution shall also be informed that if it is not in agreement with any of ISSC recommendations, it is entitled to representation at the Commission meeting and will be allowed to state its objections. If the Institution is approved by the Commission as a lender, ISSC will execute a Lender Agreement which will include:
 - A) The Institution's agreement to abide by the Rules of ISSC;
 - B) A statement of agreement including, or referring to, the list of required activities of educational Lenders labeled as Appendix A;
 - C) A statement of agreement including, or referring to, the Federal Regulations with respect to loan Disbursements and refund application;
 - D) A statement of agreement including, or referring to, the Federal Regulations definition of "due diligence"; and

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- 2) In addition to the above materials, a school which is organized on a for-profit basis will be requested to submit a:
 - A) Copy of its student contract;
 - B) Description of its admission/sales staff and their functions;
 - C) Statement of the Institution's drop-out/completion rates;
 - D) Sample of the Institution's advertising materials; and
 - E) Description or copies of student complaints filed with the Institution in the last two years. In addition to these materials, ISSC will secure a Dun and Bradstreet Report on the Institution, a statement from the Better Business Bureau with regard to any consumer complaints, and a statement from the Institution's accrediting association.
- 3) The applications for eligible Lender status in the Programs and the supporting documentation shall be reviewed by ISSC. ISSC shall inform applicant Institution of its proposed recommendations to the Commission prior to the meeting at which action on the application will be taken. The Applicant Institution shall also be informed of the recommendation for its annual lending limit as well as any additions to the Lender Agreement which ISSC feels prudent in individual instances to protect the default record of ISSC. The Institution shall also be informed that if it is not in agreement with any of ISSC recommendations, it is entitled to representation at the Commission meeting and will be allowed to state its objections. If the Institution is approved by the Commission as a lender, ISSC will execute a Lender Agreement which will include:
 - A) The Institution's agreement to abide by the Rules of ISSC;
 - B) A statement of agreement including, or referring to, the list of required activities of educational Lenders labeled as Appendix A;
 - C) A statement of agreement including, or referring to, the Federal Regulations with respect to loan Disbursements and refund application;
 - D) A statement of agreement including, or referring to, the Federal Regulations definition of "due diligence"; and

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- e) An expiration date of such lending contract which shall not be later than the end of the first full fiscal year following the negotiation of the contract, at which time its renewal shall be considered by ISSC.
- f) A loan guarantee shall be cancelled if the Lender fails to comply with Federal Regulations, statutes, ISSC Rules, or procedures, provided such failure impairs ISSC's ability to recover the expense of reimbursing the Lender for the defaulted loan.
- g) ISSC conducts compliance reviews to determine if approved Lenders are complying with Federal Regulations, statutes and Rules.

(Source: Amended at 13 Ill. Reg. 8630, effective July 1, 1989)

Section 1720.30 Institutional Eligibility

- a) Eligible postsecondary Institutions include universities, colleges, graduate schools, schools of nursing, business, trade, technical, and vocational schools. Correspondence Institutions/programs are not eligible. Institutions must have executed a Program Participation Agreement with ED before applying for ISSC approval, in order to participate in ISSC's Guaranteed Loan Programs. See: 34 CFR 682.600 (1986), 688.12 et seq.
- b) Borrower(s) shall be responsible for the full amount of the loan if an Institution declares bankruptcy or ceases operation.
- c) When an approved Institution has a change of ownership, as defined by Federal Regulations, the Institution's ISSC Program Participation Agreement is also terminated. The Institution may have eligibility reinstated by the execution of new Program Participation Agreements with ED and the ISSC. See: 34 CFR 688.18 (1986), 23 Ill. Adm. Code 1700.30(a)-600.30 et seq.
- d) An Institution may not engage in loan origination activities. This prohibition shall not apply if the Institution has an ED approved Origination Agreement, provided the agreement is on file with ISSC. See: 34 CFR 682.601 (1986).
- e) Approved Institutions shall provide ISSC with the current enrollment status of students the Institution certified as eligible borrowers. ISSC shall request enrollment data in accordance with a schedule published on an annual basis.

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- f) Approved Institutions must demonstrate the requisite administrative capability, as defined by Federal Regulations. See, e.g.: 34 CFR 668.17 (1986), 14 et seq.
- g) Vocational Institutions shall annually submit graduate employment data to ISSC, as required by 34 CFR 668.44 (1986).
- (Source: Amended at 13 Ill. Reg. 8630, effective July 1, 1989)

Section 1720.40 Procedures for Obtaining a Guaranteed Loan

- a) Borrowers who are eligible for a loan guarantee in accordance with Section 1720.10 are issued a notice of guarantee and an application/promissory note form. All promissory notes, documents and instruments must be in the form furnished by ISSC or an ISSC approved facsimile. No alteration or substitution may be used.
- b) All loans are made at the Lender's discretion. When a Lender rejects a borrower's application/promissory note, the Lender shall issue a Notice of Non-acceptance form to the borrower.
- 1) Should an Applicant be unable to secure an ISSC Guaranteed Loan from an approved Lender, ISSC shall refer the Applicant to a Lender who has indicated a willingness to issue a Guaranteed Loan.
- 2) An Applicant must submit to ISSC a written request for a Lender referral. The request must include copies of three written notifications from approved Lenders that indicate a refusal to approve a loan application.
- c) The availability of an ISSC Guaranteed Loan shall not be conditioned upon the purchase of credit life, life, accident, health, or other forms of insurance.
- d) No Stafford Loan ~~IGL~~ of less than \$150 shall be made by a Lender. A minimum loan amount of \$500 applies to PLUS and SLS. See Section 1720.10(f) for loan maximums.
- e) The application/promissory note must be signed in ink. Signature stamps shall not be used.
- f) Within any one of ISSC's Guaranteed Loan programs, all of a borrower's outstanding loans must be held by the same Lender or Holder.

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- 1) If a Lender receives an application/promissory note, and the borrower has outstanding ISSC Guaranteed Loan(s) with a prior Lender, the following provisions apply:
 - A) ~~An IGLP loan~~ Stafford Loan will be guaranteed if the Lender has purchased all outstanding ~~IGLP~~ Stafford Loans.
 - B) A PLUS loan will be guaranteed if the Lender has purchased all outstanding PLUS Loans made on behalf of the same student.
 - C) A SLS loan issued by a commercial Lender will be guaranteed if the Lender has purchased all outstanding SLS Loans made by another commercial Lender.
 - D) A SLS loan issued by an educational Lender will be guaranteed if the Lender is an educational Institution at which the borrower is Enrolled and the borrower has not previously obtained a SLS Loan through a commercial Lender.
- 2) If the Lender has sold the Applicant's previous ISSC Guaranteed Loan(s) to an approved Holder, a subsequent loan will be guaranteed provided:
 - A) the renewal loan is issued by the same Lender that issued the previous loans; and
 - B) the Lender sells the renewal loan to the Holder. The Lender must sell the loan by the ending loan term date or May 1 following the guarantee date, whichever is earlier. Failure to sell the renewal loan by the deadline shall result in the loss of guarantee.
- 3) The requirements of ~~this~~ subsection (f) shall not apply if:
 - A) ~~the outstanding loans involved~~ are held by a lender which ~~who~~ has been either declared insolvent by a regulatory agency or has terminated its ~~if~~ the Lender Agreement ~~has~~ been terminated.
 - B) the borrower informs ISSC, in writing, that he/she is dissatisfied with the previous Lender's performance and requests that subsequent loans be issued by a different Lender.

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- g) Co-maker and Co-signers
 - 1) Where two Parents or legal guardians reside in the same household, and the Parent or guardian applying for a PLUS loan guarantee is not the larger wage earner of the two, the Parent or legal guardian who is the larger wage earner must co-make the loan. This requirement shall not apply if, under current criteria employed by the Lender, the Applicant would be considered eligible for an unsecured loan of the same amount from such Institution. The Lender shall not require a co-maker on a SLS loan. At the Lender's option, a co-signer may be required on any PLUS or SLS loan.
 - 2) The Lender shall not require a co-maker or co-signer on an ~~IGLP~~ a Stafford Loan ~~loan~~ or accept security for payment thereof.
- h) Lenders shall obtain the names and addresses of at least two references from each loan Applicant. Lenders shall submit the reference data to ISSC when requesting ISSC reimbursement pursuant to Section 1720.70.

(Source: Amended at 13 Ill. Reg. 8630, effective July 1, 1989)

Section 1720.50 Procedures for Disbursement and Repayment

- a) Disbursement and repayment procedures are specified in Federal Regulations.
- b) Prior to Disbursement, the borrower(s) shall execute a completed application/promissory note(s) for the principal and interest on the loans. The Lender shall retain the original copy of the application/promissory note.
- c) The Lender shall transmit to ED any and all statements and reports necessary to obtain federal interest payments on the borrower(s)' behalf. The Lender shall not collect or attempt to collect from the borrower(s) or ISSC any portion of the interest on the loan which is payable by ED.
- d) Except for loans pursuant to Section 1720.55, the Lender shall not disburse the proceeds of any loan on the borrower(s)' behalf unless and until the Lender shall have received from ISSC evidence of a guarantee. The Lender shall inform ISSC of all loans through submissions of the Student Status Confirmation Report.

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- e) ~~ICLP~~ Stafford Loan and SLS loan proceeds shall be transmitted directly to the Institution. PLUS loan proceeds shall be delivered to the borrower by the Lender. The Lender shall notify the educational Institution of all PLUS Disbursements.
- 1) The student loan check shall be payable to the borrower unless the borrower has authorized, in writing, a co-payable loan check.
- 2) ~~The Lender shall not release the first disbursement of the proceeds to the Institution or the PLUS borrower earlier than thirty days before the student commences classes for the academic term. Disbursement by the educational Institution to the borrower shall not occur earlier than ten days before the first scheduled day of classes.~~
- 3) ~~After classes have commenced, proceeds must be disbursed to the borrower immediately, but not later than ninety days after the conclusion of the academic term.~~
- A) ~~If the proceeds have not been disbursed to the borrower within the ninety day period, the proceeds must be returned to the Lender.~~
- 2) ~~B) If the proceeds have not been disbursed to the borrower within ninety days after the conclusion of the term, ISSC approval is required prior to Disbursement. Factors to be considered by ISSC in evaluating the borrower's Disbursement request include whether the delay in Disbursement was avoidable by the borrower, whether the borrower was familiar with the loan application process through prior ISSC borrowing, whether the borrower had difficulty locating a Lender willing to issue a loan, and other extenuating circumstances (e.g., death in the borrower's family).~~
- 34) If the borrower has withdrawn from enrollment, in accordance with Federal Regulations the Institution must submit a refund to the Lender. See: e.g., 34 CFR 682.607 (1986). The refund shall be in the form of a check payable to the Lender on behalf of the borrower. The Institution shall provide simultaneous written notice to the student of the refund.

- A) If the Institution fails to issue a timely refund, as defined by Federal Regulations, the Institution shall pay penalty interest.
- B) The penalty interest shall equal the total amount of interest and special allowance generated by the principal value of the refund amount. The penalty interest shall be computed from the date the refund was due until the date the refund was issued.
- C) The penalty interest shall be paid to the Lender or subsequent Holder.
- f) The borrower(s) shall have the right to prepay without penalty the whole or any part of a loan guaranteed hereunder. If less than all outstanding notes are prepaid, the notes shall be prepaid in the order of their execution dates commencing with the earliest. Any prepayment made thereon shall be credited wholly to the principal.
- g) The Lender or Holder shall send a repayment schedule and disclosure statement to the borrower(s) no later than 30 days prior to the expiration of the borrower(s)' grace period. The borrower(s)' notes are incorporated by reference into the signed repayment schedule and disclosure statement.
- 1) On or before the first payment date defined in the note(s), the borrower shall begin making installment payments pursuant to said schedule. The note maturity date will be calculated in accordance with the requirements of Federal Regulations.
- 2) The maturity date identified in the most recent note updates the maturity date of all previous notes, provided the borrower has not previously entered repayment.
- 3) The borrower(s) may defer their repayment obligations in accordance with this Section.
- h) The Lender or Holder shall notify ISSC of payment in full or prepayment in full through submissions of the Student Status Confirmation Report.

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- i) In accordance with Federal Regulations, the Lender or Holder may extend the maturity date of any note. If the Lender or Holder agrees to extend said note, then the borrower(s) must execute a forbearance agreement. A lender-approved forbearance agreement(s) may be approved for not exceed a total period of up to one year at a time. Should a borrower request a forbearance which would exceed the one-year maximum, the lender shall submit the request to ISSC for approval. ISSC shall approve the request if the borrower meets the requirements of Federal Regulations. See, e.g., 34 CFR 682.211 (1986).

- j) Borrowers are entitled to deferments, which extend the maturity date of any note(s), under conditions established by Federal Regulations. The borrower(s) shall be responsible for submitting to the Lender a completed deferment (extension) agreement.

- k) ISSC provides Lenders with the forms necessary for servicing their Guaranteed loan portfolio (e.g., deferment forms, forbearance forms). With advance ISSC approval, Lenders may use non-ISSC forms. ISSC shall approve the use of alternative forms provided the alternative form is ED-approved and is compatible with ISSC's data processing requirements.

- l) No note shall be sold or transferred by the Lender except to an ISSC-approved Lender, an ISSC-approved Holder, or ISSC.

(Source: Amended at 13 Ill. Reg. 8630, effective July 1, 1989)

Section 1720.60 Preclaim Assistance

- a) ISSC functions in a supplementary role to assist the Lender or Holder in its collection of the a loan- that is at least 90 days delinquent. After requesting Preclaim assistance, the Lender or Holder shall continue to proceed with normal collection activity. The following information is requested, if available:

- 1) Name, social security number, and state driver's license number;
- 2) Employer's name and telephone number;
- 3) Home address and telephone number;
- 4) Identification of the problem;
- 5) Date and amount of each payment;
- 6) Copies of collection activity records loan amounts; and
- 7) Number of days delinquent.

- b) The request for preclaim assistance must be sent to ISSC no earlier than 90 80 days after the first date of delinquency and no later than 100 days after the date of delinquency.

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- c) For one hundred or more accounts submitted at one time the request for preclaim assistance must be submitted on computer tape, in a format approved by ISSC, from which collection action can begin immediately.
- d) If a borrower's address is unknown, the Lender shall attempt to locate the borrower prior to requesting preclaim assistance. These attempts shall include written and/or telephone inquiries to the Institution, the borrower at both the school and permanent address and the borrower's references.

(Source: Amended at 13 Ill. Reg. 8630, effective July 1, 1989)

Section 1720.70 Reimbursement Procedures

- a) If a borrower dies or becomes permanently and totally disabled, the Lender or Holder shall request reimbursement from ISSC within 60 days of the Lender's receipt of the borrower's loan cancellation request. Requests for default reimbursement must be submitted to the ISSC no earlier than 180 days after the first date of delinquency and no later than 270 days after the date of delinquency. The Lender or Holder shall be reimbursed for 100% of the outstanding principal balance and the interest which accrued from the default date to ~~thirty (30)~~ fifteen (15) days after the Illinois State Voucher is completed. On PLUS loans all co-makers must meet the default criteria contained in Federal Regulations.

- b) The Lender or Holder must request ISSC reimbursement for any bankruptcy claim in accordance with Federal Regulations. See, e.g.: 34 CFR 682.402 (1986). The request for reimbursement must be submitted within 30 working days of the Lender's receipt of notice that the loan is eligible for reimbursement. A copy of the restraining order and the appropriate papers should be included. On PLUS loans, all co-makers must meet the bankruptcy criteria.

- c) Prior to reimbursement, the Lender or Holder must certify compliance with federal due diligence requirements and subsection (f). Prior to reimbursement, the Lender must have remitted the insurance premium established by Section 1720.80.

- d) The Lender or Holder shall forward to ISSC any payments made by borrowers after default reimbursement and shall advise ISSC of any subsequent information received concerning the student. Prior to reimbursement, all original notes must be properly endorsed and submitted to ISSC. If the notes have been erroneously stamped "Paid in Full", or lost, the Lender or Holder shall execute a hold harmless agreement with ISSC.

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- e) No fee or charge, other than the maximum interest rate prescribed by ED, including the student insurance premium, and the federal loan origination fee, shall be contracted for or received by the Lender, except that a delinquency charge is permitted on each installment in default for a period of not less than ten days. The amount of the delinquency charge cannot exceed five per cent (5%) of the delinquent installment, or five dollars (\$5.00), whichever is less.
- f) The Lender or Holder shall make a proper collection effort in accordance with acceptable practices of prudent lending institutions including, but not limited to, the collection activities required by Federal Regulations. See, e.g., 34 CFR 682.411 (1986).
- g) ISSC shall collect the outstanding amount on the Guaranteed Loan. If the borrower refuses to retire the debt, ISSC shall litigate or assign the account to a licensed collection agency.
- h) Should a borrower refuse to retire the debt, the ISSC shall direct the State Comptroller to offset any payment from the State Treasurer to the borrower. The funds offset shall be remitted to the ISSC and credited against the debt.

1) All offsets shall be processed in accordance with 74 Ill. Adm. Code 285.

2) The ISSC shall not direct an offset if the borrower has maintained a satisfactory repayment record. See: 23 Ill. Adm. Code 1700.40(a)(2).

3) ISSC shall notify a borrower fifteen days prior to the first offset. ISSC shall not provide additional notice of subsequent offsets for the same debt. Should the borrower dispute the debt, an appeal must be filed within fifteen days of the date of the notice. Appeals will be processed in accordance with 23 Ill. Adm. Code 1700.70. If the requested relief is granted, the funds offset shall be returned to the borrower.

4) Funds eligible to be offset include, but are not limited to, state income tax refunds and the wages of state employees.

(Source: Amended at 13 Ill. Reg. 8630, effective July 1, 1989)

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Section 1720.75 Cure Procedures (Repealed)

- a) ~~This Section establishes procedures for lenders to cure violations of the requirements of Section 1720.70 relating to due diligence in collection and the timely filing of reimbursement request.~~
- b) ~~To reinstate a loan guarantee in the case of a default claim which was not timely filed, or a due diligence violation, the lender must first locate the borrower.~~
 - 1) ~~The lender must then send the borrower a new repayment schedule/dislosure statement (which complies with the 10-year maximum repayment period) and a collection letter which indicates in strong terms the seriousness of the delinquency.~~
 - 2) ~~If the borrower signs the new repayment schedule/dislosure statement and submits one payment in accordance with that agreement, the loan guarantee is reinstated.~~
 - c) ~~On the date the lender has received both the signed repayment schedule/dislosure statement and the first timely payment required by that schedule, the borrower is considered current. If the borrower subsequently becomes delinquent, the lender shall follow the due diligence requirements established by federal regulations.~~
 - d) ~~The following cure procedures are available for bankruptcy claims which were not timely filed in accordance with Section 1720.70(b):~~
 - 1) ~~Dismissal of the bankruptcy claim by the court.~~
 - 2) ~~Conversion of a Chapter 13 petition to a Chapter 7 petition. (See: 11 U.S.C. 101 et seq.)~~
 - 3) ~~The timely filing by the lender of a proof of claim with the court.~~
 - 4) ~~The execution of a reaffirmation agreement which has been approved by the court.~~
 - e) ~~For any reimbursement claim involving a reinstated guarantee, the ISSC shall not pay for any unpaid interest accumulating prior to the date of reinstatement. If the unpaid interest which accumulated prior to reinstatement has been capitalized, the lender must deduct the capitalized interest from any subsequent reimbursement claim.~~

(Source: Repealed at 13 Ill. Reg. 8630, effective July 1, 1989)